

PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS

NOVEMBER 14, 2006

THE PLANNING COMMISSION'S VISION OF ITS ROLE IN THE COMMUNITY

The Planning Commission sees its role as the preparation and implementation of the Comprehensive Plan through which the Commission seeks to promote orderly growth, preserve the quality of Coeur d'Alene, protect the environment, promote economic prosperity and foster the safety of its residents.

5:30 P.M. CALL TO ORDER:

ROLL CALL: Bruning, Bowlby, George, Jordan, Rasor, Messina, Souza, McCloskey, (Student Rep)

APPROVAL OF MINUTES:

October 12, 2006

PUBLIC COMMENTS:

COMMISSION COMMENTS:

STAFF COMMENTS:

ADMINISTRATIVE ITEMS:

1. Applicant: TJAHJONO Real Estate Idaho, L.L.C
 Location: Lt 1, Blk 1 White Subdivision
 Request: Proposed 2-lot preliminary plat
 "First Addition to White Subdivision"
 SHORT PLAT, (SS-25-06)

2. Applicant: Rainbow Ridge L.L.C.
 Location: Lt 6, Blk 1 Spring Addition
 Request: A proposed 8-unit Condominium Plat
 "Rainbow Ridge Condominium Plat"
 SHORT PLAT, (SS-26-06)

3. Applicant: Ruen-Yeager and Associates
 Location: Lt 2 Blk 1, Joes Place
 Request: A proposed 2-unit Condominium Plat
 "Voget Group Condos"
 SHORT PLAT, (SS-27-06)

PUBLIC HEARINGS:

1. Applicant: SMS Investments
 Location: 7677 N. Ramsey Road
 Request: A proposed annexation for a 4.96 acre parcel
 from County Agricultural to City R-8
 (Residential at 8 units/acre)
 QUASI-JUDICIAL, (A-5-06)

2. Applicant: Lake Coeur d'Alene Development
 Location: 500 Island Green Drive
 Request: Modification to Limited Design PUD to allow an
 8' high gate and fence.
 QUASI-JUDICIAL, (PUD-2-04m)

3. Applicant: Jim and Nancy Hoffman
 Location: 15th and Best Avenue
 Request: A proposed PUD "15th and Best Townhouses"
 QUASI-JUDICIAL, (PUD-5-06)

4. Applicant: Dave Schreiber
 Location: 311 S. 11th Street
 Request: A proposed 24-lot preliminary plat
 "Iceplant Townhouses"
 QUASI-JUDICIAL, (S-11-06)

5. Applicant: City of Coeur d'Alene
 Request: To propose a new commercial zoning designation
 LEGISLATIVE, (0-4-06)

ADJOURNMENT/CONTINUATION:

Motion by _____, seconded by _____ ,
to continue meeting to _____, __, at __ p.m.; motion carried unanimously.
Motion by _____, seconded by _____ , to adjourn meeting; motion carried unanimously.

****The City of Coeur d'Alene will make reasonable accommodations for anyone attending this meeting who requires special assistance for hearing, physical or other impairments. Please contact Shana Stuhlmiller at (208)769-2240 at least 24 hours in advance of the meeting date and time.***



M I N U T E S

**PLANNING COMMISSION
MINUTES
OCTOBER 10, 2006
CITY COUNCIL CHAMBERS**

COMMISSIONERS PRESENT

John Bruning, Chairman
Heather Bowlby
Brad Jordan
Tom Messina
Scott Rasor
Mary Souza
Annie McCloskey, Student Rep.

STAFF MEMBERS PRESENT

John Stamos, Associate Planner
Shana Stuhlmiller, Public Hearing Assistant
Warren Wilson, Deputy City Attorney
Gordon Dobler, Engineering Services Director

COMMISSIONERS ABSENT

Melinda George

CALL TO ORDER

Chairman Bruning called the meeting to order at 5:30 p.m.

APPROVAL OF MINUTES:

Motion by Rasor, seconded by Bowlby, to approve the minutes of the Planning Commission meeting held on August 22, 2006 and September 12, 2006.

COMMISSION COMMENTS:

Commissioner Souza inquired if it would be allowed for her to voice her opinion at the upcoming election.

Deputy City Attorney Wilson replied that it would be all right to voice your personal feelings but not as a Commissioner.

Chairman Bruning announced that there will be a Comprehensive Workshop scheduled on October 24th and that a mock hearing will be held to try out the new policies in the Comprehensive Plan.

STAFF COMMENTS:

There were none.

PUBLIC COMMENTS:

There were none.

ADMINISTRATIVE ITEMS:

PLANNING COMMISSION MINUTES:

OCTOBER 10, 2006

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1. Applicant: Ruen-Yeager and Associates
 Location: 1377 and 1379 Kaleigh Court
 Request: Proposed 2-unit Condominium Plat "Daniel Condominiums"
 SHORT PLAT (SS-23-06)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

Commissioner Bowlby inquired if staff has had any recent information for people who are being forced to leave their apartments because the owners want to convert the apartments to condominiums.

Deputy City Attorney Wilson commented that he has passed the information to Troy Tymesen, City Finance Director who is responsible to handle issues in the City for affordable housing.

Motion by Rasor, seconded by Souza, to approve Item SS-23-06. Motion approved.

2. Applicant: Ruen-Yeager and Associates
 Location: 1501 and 1503 N. 9th Street
 Request: Proposed 2-unit Condominium Plat "DeCorna Condominiums"
 SHORT PLAT (SS-24-06)

Engineering Services Director Dobler presented the staff report and then asked if the Commission had any questions.

There were no questions for staff.

Motion by Rasor, seconded by Souza, to approve Item SS-24-06. Motion approved.

3. Applicant: Kohl's Department Inc.
 Request: Approval of Landscaping plan
 ADMINISTRATIVE (LS-2-06)

Assistant Planner Holmes presented the staff report and then asked if the Commission had any questions.

Chairman Bruning inquired if Karen Haskew, the City's Urban Forester, has seen this landscaping plan.

Assistant Planner Holmes responded that he is not aware if staff has seen this plan and explained that the permit is still in the review stage.

Motion by Jordan, seconded by Souza, to approve Item LS-2-06. Motion approved.

PUBLIC HEARINGS

1. Applicant: Riverstone West, LLC
 Location: 2800 Seltice Way
 Request: A proposed PUD "Riverstone West"
 QUASI-JUDICIAL (PUD-4-06)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 0 in favor, 0 opposed, and 2 neutral and answered questions from the Commission.

Commissioner Souza inquired what is the street width on Tilford Lane.

Associate Planner Stamsos answered that the street is 24 feet wide with no parking allowed on the side of the street.

Commissioner Souza inquired if there are walking trails intended for this project.

Associate Planner Stamsos commented that the Centennial Trail is next to Tilford Lane.

Commissioner Bowlby inquired how staff feels that Tilford Lane is a private road and not be built to City standards.

Deputy City Attorney Wilson explained that staff is comfortable and explained that the road will be maintained by the Homeowner's Association.

Public testimony open.

David Rivard, applicant representative, 104 S. Division, Spokane, explained the three issues needed for approval. He continued that the changes to consider are the height requirements for the commercial section of the plan, to reduce the parking stall widths from 9 feet to 8 feet in the retail section, and to redesign the PUD area so that the density is distributed evenly allowing more cluster development rather than looking at a solid wall of buildings.

Commissioner Souza questioned if it is necessary for the commercial buildings to be as high as 220 feet.

Mr. Rivard explained that number was picked to be consistent with the height requirements for downtown and then described that the design of the buildings which have a big base and then taper upward to offices.

Commissioner Souza explained that she would disagree, since this area is not consistent with the downtown regulations because this area does not use the same criteria as the downtown area.

Chairman Bruning inquired if the applicant can show how the high-rise buildings will be designed for this area.

Mr. Rivard answered that they do have designs of the buildings located in the commercial area of the project.

Commissioner Jordan commented he is hesitant to give free rein for building heights in this area.

Commissioner Souza commented if it would be appropriate for the Commission to continue this hearing so the applicant can provide design details of these buildings, so that the Commission can get an idea of how they will impact this area.

The Commission concurred to continue this item.

Motion by Rasor, seconded by Souza, to continue Item PUD-4-06 to the next Planning Commission Meeting scheduled on October 24, 2006 at 6:00 p.m. Motion approved.

2. Applicant: Michael R. O'Malley
 Location: 2003 Lincoln Way
 Request: A proposed 21-foot height variance above the maximum 62.5 feet allowed
 in the C-17L (Commercial limited at 17 units/acre) zoning district.
 QUASI-JUDICIAL (V-4-06)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 0 in favor, 2 opposed, and 2 neutral and answered questions from the Commission.

Commissioner Messina commented if this variance is approved, would the approval include the entire parcel as noted in the legal description.

Associate Planner Stamsos answered that is correct and complimented Commissioner Messina on his observation.

Commissioner Bowlby inquired if more than one person owns this parcel.

Associate Planner Stamsos commented that one person owns this parcel.

Public testimony open.

Michael O Malley, applicant representative, 1203 W. Riverside, Spokane, explained that the additional height is needed for three additional floors to be added to the existing parking garage. He then pointed to a tower on the existing garage and explained that the addition will not go beyond that point.

Commissioner Rasor commented that if this variance is approved feels that the approval should be for just the parking garage and not the entire parcel.

Commissioner Souza concurred.

Public testimony closed.

DISCUSSION:

Commissioner Bowlby commented that in the future the hospital will expand and need the additional height in order to add on to the existing hospital. She recommended that the applicant should request a zone change to C-17, so this type of request does not have to come back for the Commission to approve.

Commissioner Jordan commented that the approval for height should include the entire parcel and concurs with Commissioner Bowlby that in the future the hospital will expand.

Commissioner Rasor disagreed that because of the sensitivity of requests for heights in the area these requests should be looked at on a case-by-case process.

The Commission concurred, and decided to add a condition stating that the variance will only apply to the construction of the parking garage and not the entire parcel.

Motion by Rasor, seconded by Messina, to approve Item V-4-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 5 to 0 vote.

3. Applicant: Ron Ayers
 Location: 1101, 1103 and 1113 W. Davidson
 Request: A proposed zone change from R-12 (Residential at 12 units/acre)
 to C-17 (Commercial at 17 units/acre)
 QUASI-JUDICIAL (ZC-10-06)

Commissioner Rasor declared a conflict and was excused from the hearing.

Associate Planner Stamsos presented the staff report, gave the mailing tally as 0 in favor, 3 opposed, and 2 neutral and answered questions from the Commission.

The Commission did not have any questions for staff.

Public testimony open.

Dick Stauffer, Applicant representative, 701 Front Avenue, commented that the applicant came to them years ago to get an idea on the type of project he could do on this parcel. He added that this zone request is more of a housekeeping issue since the applicant owns the other parcel across the street and wants this parcel to be contiguous with the other parcels in the area. He then asked if the Commission had any questions.

The Commission did not have any questions for the applicant.

Public testimony closed.

Motion by Jordan, seconded by Messina, to approve Item ZC-10-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to approve carried by a 4 to 0 vote.

4. Applicant: Stephen Shortridge and Harry Robertson
 Location: 821 Mullan Ave. Coeur d'Alene
 Request:
1. A zone change from R-17 (Residential at 17 units/acre) to DC (Downtown Core)
 2. Amend Downtown East Infill Overlay District to exclude subject property
 3. Amend Downtown Design Regulations Overlay district boundary to include subject property.
 QUASI-JUDICIAL (ZC-11-06)

Associate Planner Stamsos presented the staff report, gave the mailing tally as 2 in favor, 4 opposed, and 0 neutral and answered questions from the Commission.

Commissioner Souza inquired regarding the maximum height allowed in a C-17L zone.

Associate Planner Stamsos answered that the maximum height allowed is 43 $\frac{3}{4}$ feet.

Commissioner Souza inquired how tall the future library would be.

Associate Planner Stamsos answered that he would estimate that the library will be 30 feet and three stores high.

Public testimony open:

Kevin Jester, Applicant representative, 316 Forest Drive, Coeur d'Alene, explained the possibilities proposed for this parcel and commented that he would like to address questions to help eliminate fear and speculation regarding this parcel. He commented that the information in the staff report was great and then asked if the Commission had any questions.

Commissioner Rasor inquired if approval of this project would affect future projects and questioned with all the controversy regarding heights in this area, if this is the right time to ask for approval.

Mr. Jester explained that for downtown to be rejuvenated, this type of project would help downtown become vibrant and that what is proposed is just speculation of what could be done on this parcel. He added that eventually this area will be changing.

Commissioner Rasor commented that he considered buying a house on Front Street that had some historic qualities, but did not go through with the purchase because the house needed too many repairs. He commented that as he was driving around this area noticed many homes that should be torn down, and questioned if this project is denied, is there something else that can be built on this parcel other than a high-rise.

Mr. Jester commented that, for example, a type of project such as the Iceplant development on Mullan would be a possibility that would fit with the current zoning on this property and maximize the density which is a factor for a successful downtown core.

Commissioner Rasor commented he can see the positives for this project and agrees that downtown needs to be rejuvenated but maybe the timing is a little premature

Chairman Bruning commented that for this project to be approved, findings need to be done to justify the

approval. He added that a finding stating that this project would not have an impact on the neighborhood would be a hard finding to make.

Commissioner Bowlby commented that she understands the applicant's desire for this type of project, but feels that by approving this project would be setting a precedence. She explained that if this request is approved, then in the future other similar requests might want to move the dividing line further. She continued that the guidelines were put in place for a reason and should be left alone to work.

Rita Sims-Snyder, 818 Front Avenue, Coeur d'Alene, commented that her house was considered a teardown and with some remodeling is now presentable. She feels that the notice of the public hearing was hard to understand and feels if it was easier to understand more people would have responded. She added that the type of housing the applicant is proposing will not be affordable housing and that parking is a concern.

Rebekah Garvin, 802 Front Street, Coeur d'Alene, presented the Commission a copy of a petition with 154 signatures from people around the area opposed to this request. She explained that her family has lived in this area for nine years and is in the process of fixing up their home they just purchased. She continued that her family spends a lot of time in their backyard and that if a high-rise is approved, it will take away the sun for her family to enjoy, especially her two children. She added that people have rights for homeownership and by approving this request feels that those rights are violated. She added if this request is approved it will change the heart of the City.

Commissioner Messina inquired if a building was approved for this property, would a three-story building be too high.

Ms. Garvin feels that a three-story building would be the maximum and that anything taller would be intrusive.

Katie Gore, 812 Front Avenue, Coeur d'Alene, commented that she just bought her house and fell in love with the area. She commented that she has a beautiful backyard and enjoys her privacy and if this request is approved will take away her rights.

Chris Garvin, 802 Front Street, Coeur d'Alene, commented that he and his wife have been working hard remodeling their home, and is opposed to the request. He explained that in the neighborhood they live in, everyone knows everyone except the people living in McQuen Terrace. He commented that in this neighborhood, people do not always stay in their homes, but are out in their yards enjoying their property. He commented that something does need to be done on this corner, but putting in a high-rise is not the answer. He asked the Commission to please not approve this request and take away the enjoyment and the pride in this neighborhood.

James Ragsdale, 814 E. Mullan Avenue, Coeur d'Alene, commented that he bought his home a long time ago intending to retire. He added that they chose Coeur d'Alene because of the views and vistas and is opposed to this request because a high-rise will take that away.

June Ragsdale, 814 E. Mullan Avenue, Coeur d'Alene, commented that she is opposed to this request and feels it will not blend with the neighborhood. She commented that a project like the Icehouse project would be a more compatible use for this area.

Robert Goetz, 813 Bancroft Avenue, Coeur d'Alene, commented that he has lived in the area for 17 years and can see some positive and negatives to this request. He added that something does need to be done to replace the Shady Pines, but feels that a high-rise is not a compatible use.

Barb Reynolds, 806 Bancroft Avenue, Coeur d'Alene, commented that by approving a high-rise on this property this would dwarf the library that was designed to blend with the neighborhood. She is opposed to the request.

Andy Osborn, 803 Young Avenue, Coeur d'Alene, commented he is opposed to the request and added that all three of his children were born in this house and does not want to leave this neighborhood.

REBUTTAL:

Steve Shortridge commented that he has lived here for 16 years and wants the best for Coeur d'Alene and felt this project would be good for the community. He commented that his intent was not to take away from the community but only enhance this property. He added that he is aware of many people in the community who are in support of this project, and feels that if he had known this many people would be opposed; he would have called up the people who are in favor to come and testify tonight.

Mr. Jester commented that he appreciates all the comments from the community and explained under the current zoning, which is R-17; they would be allowed, with bonuses, to have 30 units on this property. He commented that he lives in an old neighborhood and would hope for good neighbors if a high-rise moved next door to his home, and understands the communities concerns. He commented that parking would not have an impact since it would be self contained and located underground.

Public testimony closed.

DISCUSSION:

Commissioner Bowlby commented that she feels this is a good project but is not compatible with the neighborhood and that to approve this project would have to benefit everyone and not just a few people.

Commissioner Souza commented that when the Iceplant came before the Commission for approval, the issue with density was a concern, and now this project has been a positive for the community and feels that a compatible project, such as the Icehouse, would be better for the community.

Commissioner Rasor feels that this project is too close to an established neighborhood to be compatible.

Commissioner Jordan commented that a project like this one is needed if downtown wants to be rejuvenated, and added that this is a tough decision. He commented that he understands the community's emotions and has issues with a high-rise located on this property. He added that once a zone change is approved it sticks with the property no matter if the property is sold, and who knows what can happen long-term.

Commissioner Messina commented that he agrees that a project like this one would improve this area, but the intensity of the project is too much for the area. He added that if the project were toned down it would work with the neighborhood.

Chairman Bruning commented that this is a great project, but in the wrong area. He added that when it was determined where the line separates the downtown core from the neighborhood was intended for a reason and could not approve this request.

Motion by Jordan, seconded by Rasor, to deny Item ZC-11-06. Motion approved.

ROLL CALL:

Commissioner Bowlby	Voted	Aye
Commissioner Jordan	Voted	Aye
Commissioner Messina	Voted	Aye
Commissioner Rasor	Voted	Aye
Commissioner Souza	Voted	Aye

Motion to deny carried by a 5 to 0 vote.


ADJOURNMENT:

Motion by Messina, seconded by Jordan, to adjourn the meeting. Motion approved.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted by John Stamsos, Associate Planner

Prepared by Shana Stuhlmiller, Public Hearing Assistant



SHORT PLATS

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: November 14, 2006
SUBJECT: **SS-25-06, First Addition to White Subdivision**

DECISION POINT

Approve or deny the applicant's request for a two lot (2) commercial subdivision.

GENERAL INFORMATION

1. Applicant: TJAHJONE Real Estate Idaho, LLC
c/o Don Murrell
Coldwell Banker Commercial
435 W. Hanley Avenue
Coeur d'Alene, ID 83815
2. Request: Approval of a two (2) lot commercial subdivision.
3. Location: North side of Appleway Avenue, +/- 200' east of Howard Street.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is C-17 which is intended to be a broad spectrum commercial district that permits wholesale, retail, heavy commercial and residential uses at a density not to exceed 17 units/gross acre.
2. Land Use: The subject property is vacant.

Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

Sewer and water utilities are available to the subject property. Lateral services will be required to be extended to the subject lots prior to final plat approval.

Streets: The public street adjoining the subject property is fully developed, however, sidewalk is not present. Sidewalk installation will be required prior to final plat approval. Due to the excessive number of approaches on Appleway and the problems that arise w/ vehicle turning movements, one joint, City standard urban approach (Std. Dwg. C-9) will be required for ingress/egress to the subject lots. This approach will be required to be centered on the common property boundary.

Fire: Fire hydrants meet the current spacing requirements of the City Fire Department. Future construction may require additional service, however, that will be addressed at the time of development.

Storm Water: Street drainage is contained within the City hard pipe system, therefore, street side swales will not be required.

Proposed Conditions:

1. Install sewer and water lateral services to the subject lots prior to final plat approval.

2. Install sidewalk across the Appleway Avenue frontage prior to final plat approval.
3. Installation of a joint, City standard urban approach (Std. Dwg. C-9) will be required to be installed prior to final plat approval.

DECISION POINT RECOMMENDATION

Approve the proposed subdivision plat in its submitted configuration with the attached conditions.

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: November 14, 2006
SUBJECT: **SS-26-06, Rainbow Ridge Condominium Plat**

DECISION POINT

Approve or deny the applicant's request for a one (1) lot, four (4) unit residential condominium subdivision.

GENERAL INFORMATION

1. Applicant: Rainbow Ridge, LLC
24842 N Cedar Mountain Road
Athol, ID 83801
2. Request: Approval of a one (1) lot, four (4) unit residential condominium subdivision.
3. Location: East side of 9th Street, south of Spruce Avenue.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is R-12 which is intended to be a residential area that permits a mix of housing types at a density not to exceed 12 units/acre.
2. Land Use: The subject property has four (4) structures on the subject property that are existing and were permitted as a duplex units.

Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The existing structures are connected to City sewer and water utilities.

Streets: The public street adjoining the subject property is fully developed.

Fire: Fire protection was adequately addressed at the time of building construction on the subject property.

Storm Water: Street and site drainage were addressed with the underlying development and meet City requirements.

Proposed Conditions:

1. Submission of the Declaration of Condominium documents prior to final plat approval.

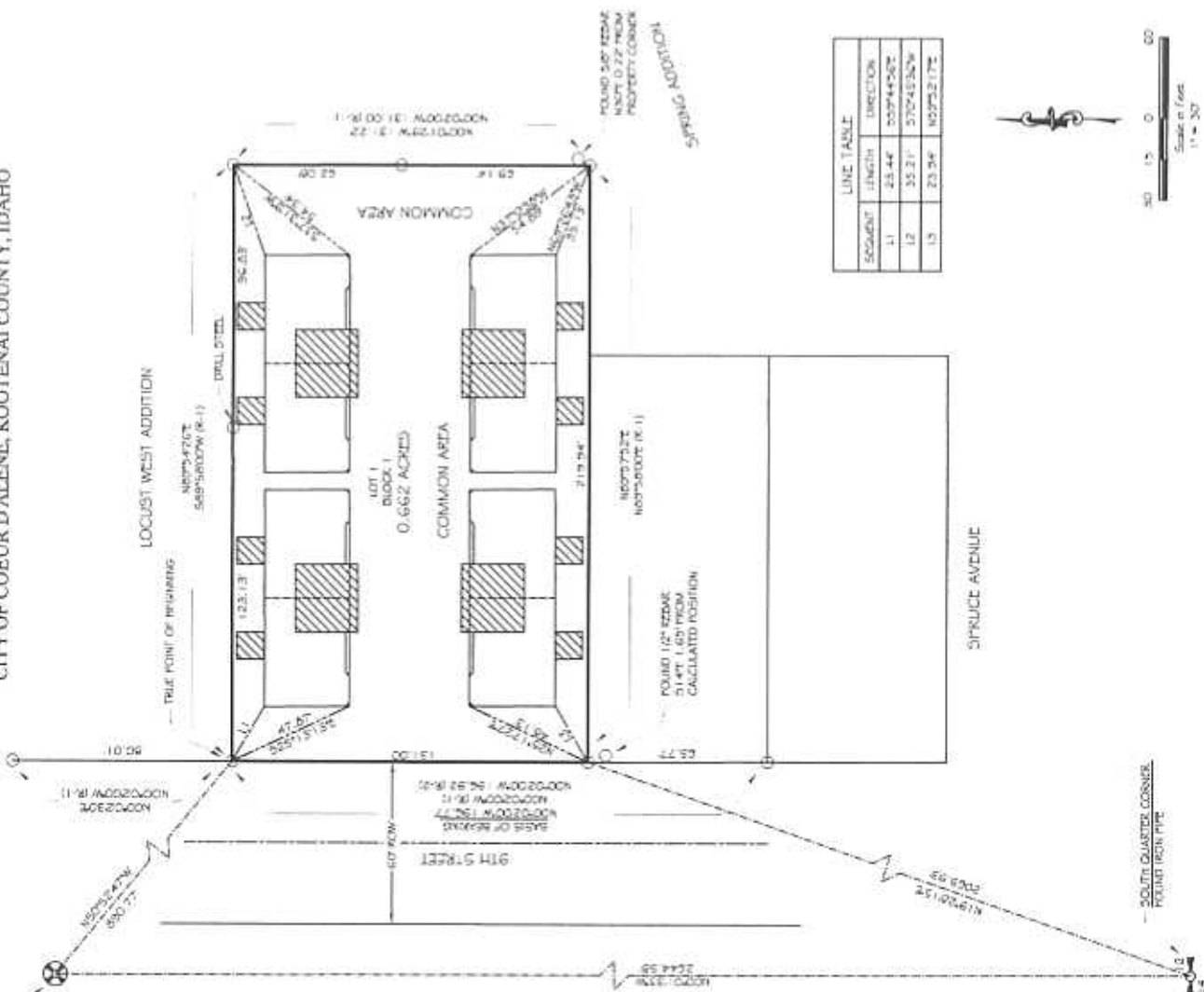
DECISION POINT RECOMMENDATION

Approve the proposed subdivision plat in its submitted configuration with the attached condition.

BOOK _____ PAGE _____
NO. _____

LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 12,
TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN,
CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

INITIAL POINT
CENTER COMPANY
POUND ALUMINUM 125
PER CAMP INSTR. NO. 1043079



A vicinity map of the project area. The map shows a grid of streets including West Ave, East Ave, Harrison Ave, and Government Way. A north arrow is located in the center of the map. The project area is indicated by a shaded region in the upper right quadrant of the map.

LEGEND

- EXISTING ROAD CENTERLINE
PROPERTY BOUNDARY
ROUND SQUARE OBJECT AS NOTED
FOR SURVEY REFERENCE IN FUTURE
LIMITED COMMON AREA

REFERENCES

R-1) PLAT OF SPRING ADDITION BOOK 7, PAGE 62, 1990
R-2) RECORD OF SURVEY BOOK 10, PAGE 56, 1991
R-3) RECORD OF SURVEY BOOK 24, PAGE 209, 2006.

BASIS OF HEARING

BASES OF BEARING IS N 00° 02' 00" W AS SHOWN
TABLE (B-3), (B-2), (B-1).

NOTE

NO ATTEMPT WAS MADE TO SHOW PHYSICAL FEATURES OF THE PROPERTY, NOR DOES THIS NECESSARILY SHOW ANY OR ALL UNRECORDED EASEMENTS

SURVEYOR'S CERTIFICATE

JOHN STEARNS, A REGISTERED PROFESSIONAL LAND SURVEYOR,
LICENSED BY THE STATE OF IDAHO, HEREBY CERTIFY THIS SURVEY
WAS MADE BY ME OR UNDER MY SUPERVISION.



JOHN STARRS, JR.
6/98
DATE



SEC. 12 SCALE: 1"=30'
 TYP. FOR DATE: 05/11/00 DRAWN: MWM
 ENG. CHK. PROJ. NO.: 6033 CHKD.: JES
 12345 W. Central Expressway, Hayward, CA 94605

90-95-55

TO: Planning Commission
FROM: Christopher H. Bates, Project Manager
DATE: November 14, 2006
SUBJECT: **SS-27-06, Voget Group Condos**

DECISION POINT

Approve or deny the applicant's request for a one (1) building, two (2) unit residential condominium subdivision.

GENERAL INFORMATION

1. Applicant: Mike Hathaway
Ruen-Yeager & Associates
3201 N Huetter Road
Suite 102
Coeur d'Alene, ID 83814
2. Request: Approval of a one (1) building, two (2) unit residential condominium subdivision.
3. Location: Kaleigh Court, north of Spokane Avenue between 7th & 9th Streets.

PERFORMANCE ANALYSIS

1. Zoning: Existing zoning for the subject property is R-12 which is intended to be a residential area that permits a mix of housing types at a density not to exceed 12 units/acre.
2. Land Use: The structure on the subject property is existing and was permitted as a duplex unit. Construction of the structure on the existing lot encroached two feet (2') into the side yard, street side set back which is required to be ten feet (10') of clear space. Because of this, if the structure is damaged and needs to be reconstructed, it will be required to meet current set backs and will not be allowed to construct into the setback zone that it presently encroaches into. The existing footing that encroaches into the setback zone would have to be removed. Also, the existing structure encroached into the private utility easement that is situated along the southerly boundary of the "parent" lot. Per Idaho Code Section 50-1306A (5), the portion of the easement encroached upon may be vacated upon receipt of a letter from the affected utility and then shown on the newly recorded subdivision plat. Those letters from the phone, gas, electric and cable have been received.

Infrastructure: Utilities, Streets, & Storm Water Facilities

Utilities: Sewer & Water

The existing structure is connected to City sewer and water utilities.

Streets: The public street adjoining the subject property is fully developed.

Fire: Fire protection was adequately addressed at the time of building construction on the subject property, and, with the underlying subdivision.

Storm Water: Street and site drainage were addressed with the underlying development and meet City requirements.

Proposed Conditions:

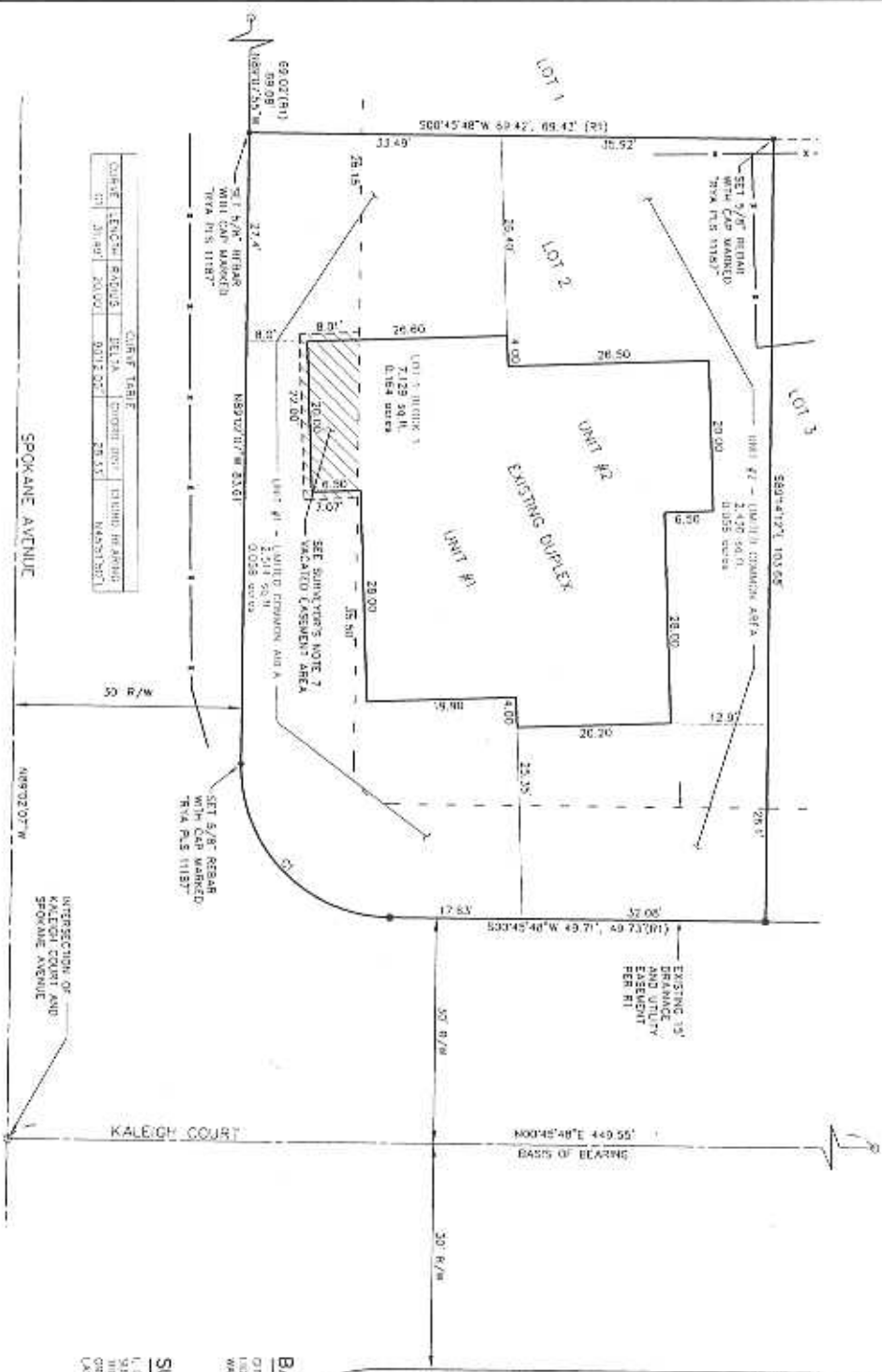
1. Should the existing structure be damaged and require reconstruction, the existing building footprint will be required to be removed and the structure built per the setbacks of the R-12 zone.
2. Graphic representation of the new utility easement, and, the vacated easement must be shown on the revised subdivision plat.
3. Submission of the Declaration of Condominium documents prior to final plat approval.

DECISION POINT RECOMMENDATION

Approve the proposed subdivision plat in its submitted configuration with the attached conditions.

VOGET GROUP CONDOS

LOT 2, BLOCK 1 OF JAE'S PLACE
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 50 NORTH,
RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO



CURVE TABLE			
CHORD	LENGTH	DELTA	CHORD BEARING
10	20.00	90.00	N 00° 00' 00\"
20	40.00	180.00	N 00° 00' 00\"
30	60.00	270.00	N 00° 00' 00\"
40	80.00	360.00	N 00° 00' 00\"

LEGEND

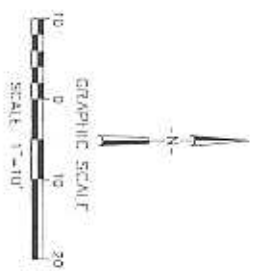
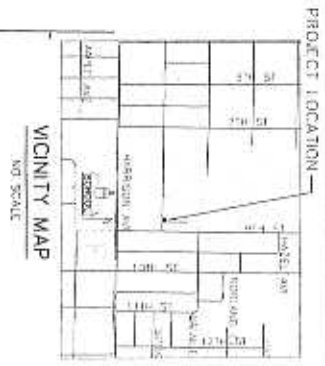
- FOUND 1/2" REBAR WITH CAP MARKED "1187 4187"
- RECORDED WITH NEW TYP. & 3/4" REBAR IN A REINFORCED CONCRETE FLOOR SLAB UNLESS OTHERWISE NOTED
- FOUND 2" ALUMINUM CAP MARKED "106 PLS 4187"
- BOUNDARY LINE
- EXISTING EASEMENT
- FENCE LINE
- PROPOSED LINE

BASIS OF BEARING

THE BEARING OF NORTH DIRECTION EAST BETWEEN THE PLAT OF JAE'S PLACE AND THE PLAT OF KALEIGH COURT, IDAHO, IS 340° 45' 48\"

REFERENCES

- R1 PLAT OF JAE'S PLACE, RECORDED IN BOOK J OF PLATS, COEUR D'ALENE, IDAHO, RECORDS OF KOOTENAI COUNTY, IDAHO.
- R2 PLAT OF WINDMERE ADDITION, RECORDED IN BOOK C OF PLATS, PAGE 218 AND 228A, RECORDS OF KOOTENAI COUNTY, IDAHO.



BASIS OF ELEVATIONS

CITY OF COEUR D'ALENE BENCHMARK D-7, AS SPACED IN 1931, SHALL BE THE POINT OF ADJUSTMENT AND CORRECTION FOR ELEVATION-7270.21 FEET

SURVEYOR'S CERTIFICATE

I, JAMES E. BAKER, JR., NO. 11187, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE PLAT OF LAND AND THAT I AM A MEMBER OF THE NATIONAL ASSOCIATION OF PROFESSIONAL LAND SURVEYORS OF THE STATE OF IDAHO.



RIVEN-YATAGER & ASSOCIATES, INC.
CONSULTING ENGINEERS
1000 N. WINDMERE, SUITE 100
COEUR D'ALENE, IDAHO 83814-3000
(208) 765-4000
FAX (208) 765-4001
WWW.RY-ASSOCIATES.COM

SECTION	TWN.	RNG.	SCALE	PROJECT NO.	DATE	BY	CHECKED BY
12	50	4	1" = 10'	204986 NO	2/26/2008	DLR	
	N	W		PLAT-107-210 Dwg			
				204986 ST			
				204986			

SS-27-06

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: NOVEMBER 14, 2006
SUBJECT: PUD-2-04 – LIMITED DESIGN PLANNED UNIT DEVELOPMENT
LOCATION: +/- 273-ACRE PARCEL INCLUDING A PORTION OF THE COEUR D' ALENE RESORT GOLF COURSE, BEACH HOUSE RESTAURANT, PROPERTIES AT THE NORTHEAST CORNER OF COEUR D'ALENE LAKE DR. AND SILVER BEACH ROAD, AND PORTIONS OF INTERSTATE 90, COEUR D' ALENE LAKE DRIVE, AND POTLATCH HILL ROAD RIGHT-OF-WAYS

DECISION POINT:

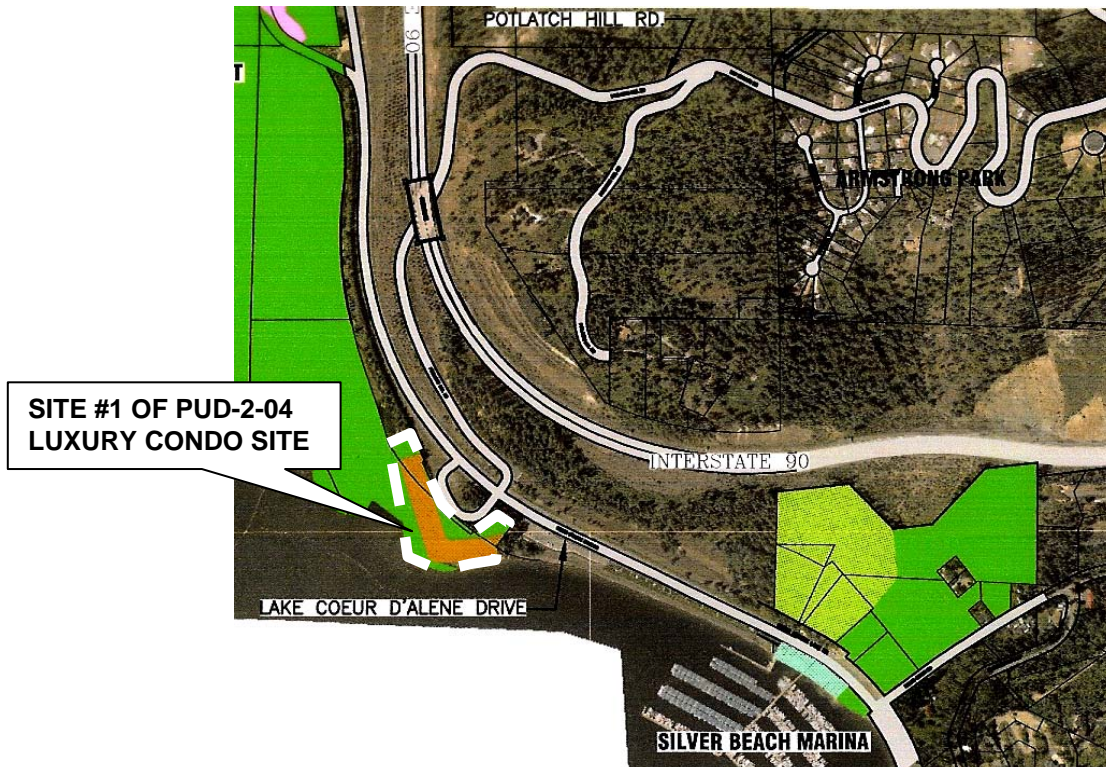
Hagadone Hospitality Co. is requesting a modification to Section 17.06.815.A, Fencing Regulation, For Residential Uses, In All Zoning Districts:

- A. The applicant is requesting an 8 foot high fence on a portion of Site # 1 – Luxury apartment site – 2.2 acres. (Site plan on page 4)

No other changes to PUD-2-04 are requested.

GENERAL INFORMATION:

- A. Site photo:



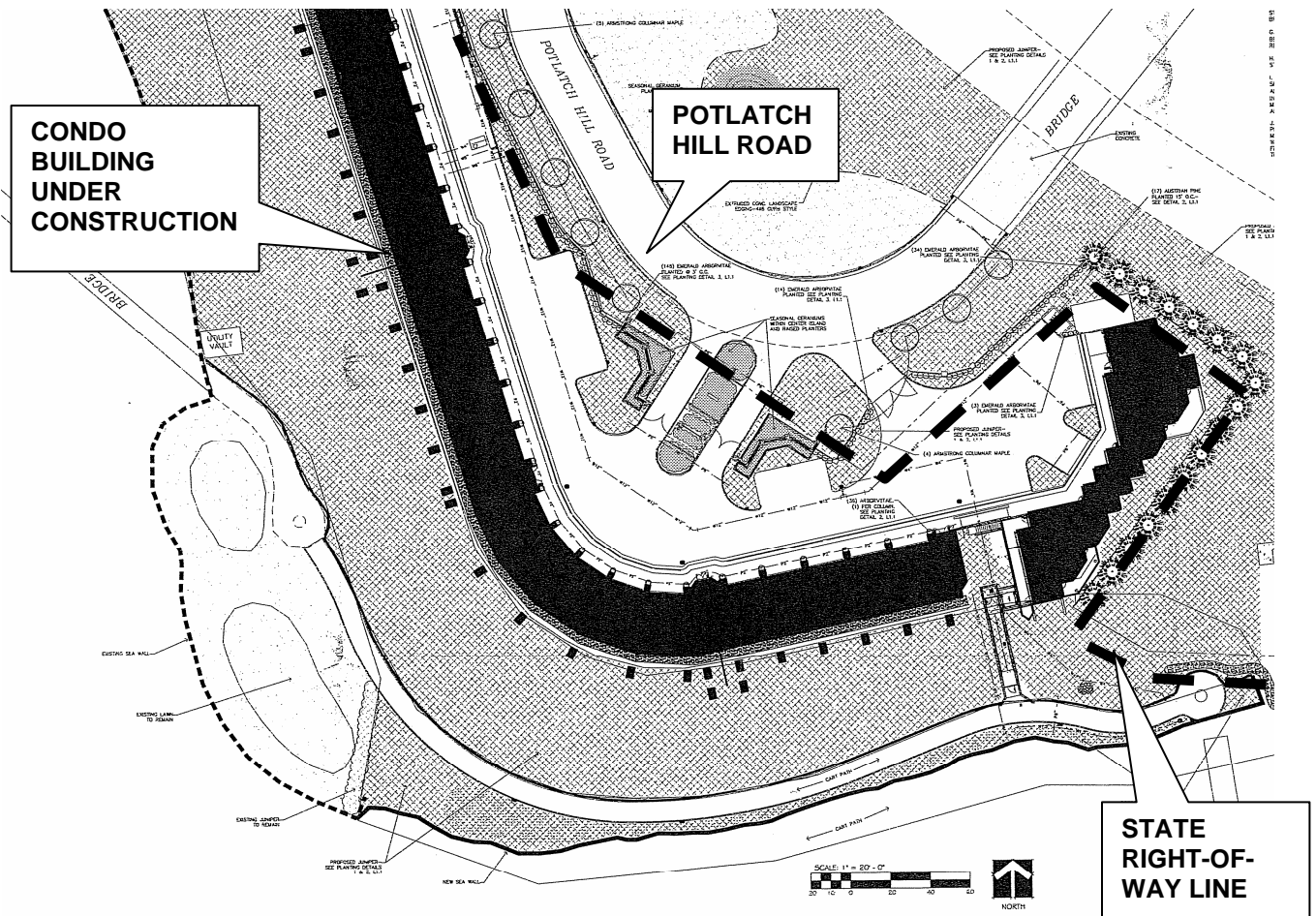
B. Proposed building



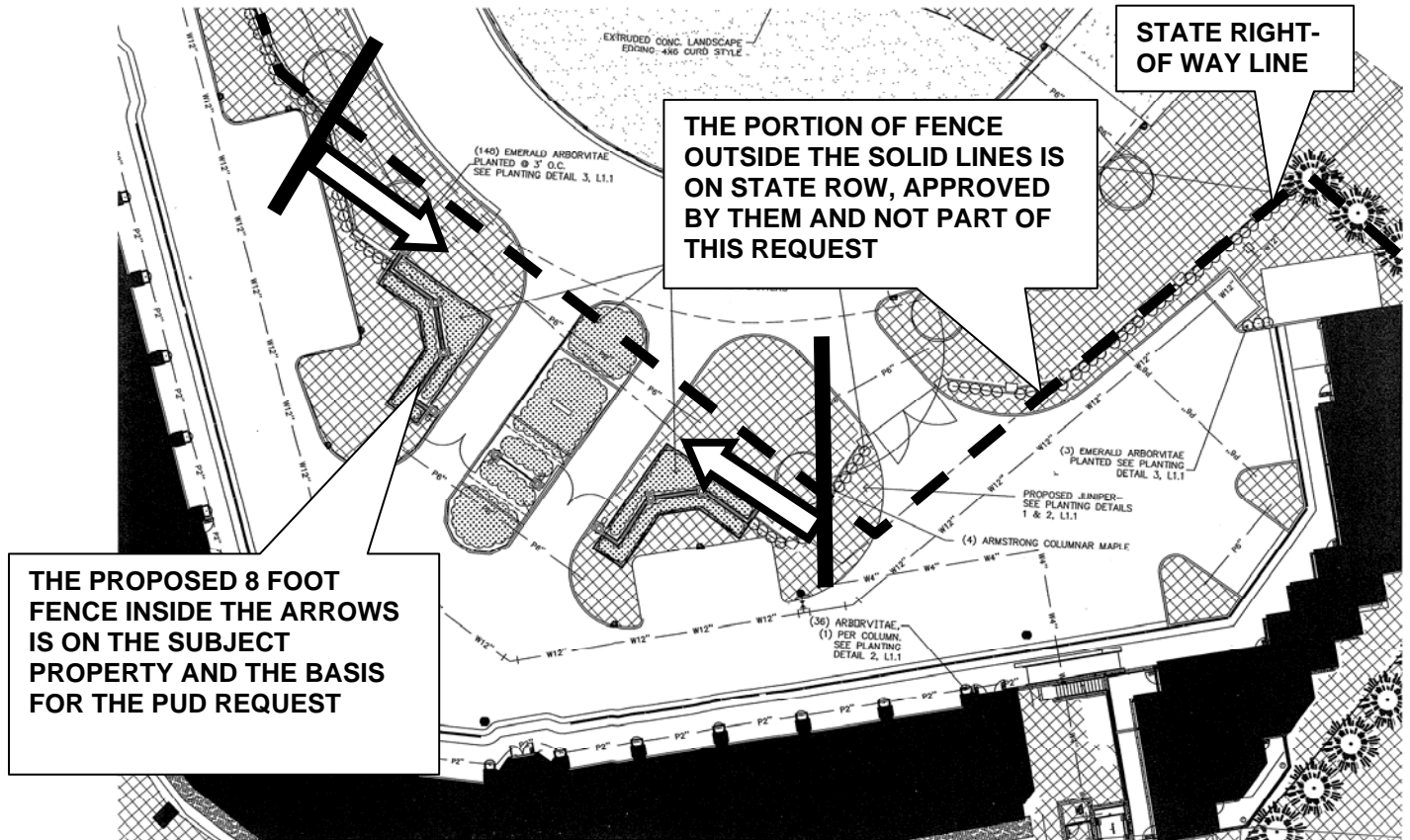
C. General location of fence



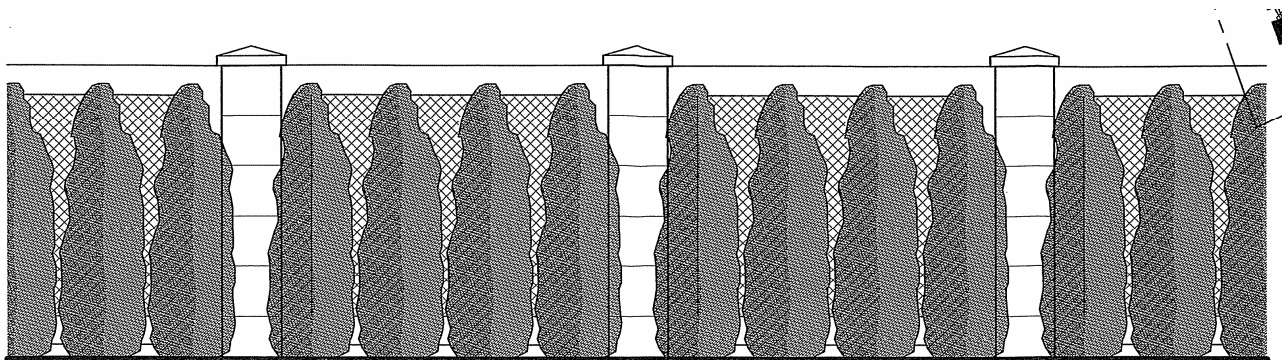
D. Site plan:



E. Close up view of fence.



F. Fence profile:



3 ARBORVITAE PLANTING DETAIL @ PERIMETER FENCE
SCALE: 1/4"=1' 0"

- G. Applicant/ Lake CDA Development, LLC
 Property owner: P. O. Box 6200
 Coeur d'Alene, ID 83816
- H. Existing land uses in the area include residential – single-family, duplex and multi-family, commercial sales and service, commercial recreation and civic.
- I. The Terraces Condominiums are currently under construction on the subject property.

PERFORMANCE ANALYSIS:

- A. **Finding #B8A: The proposal (does) (does not) produce a functional, enduring and desirable environment.**

The proposed 8 foot fence will provide additional security and landscaping for the condominium development on the subject property.

- B. **Finding #B8B: The proposal (is) (is not) consistent with the City Comprehensive Plan, as follows:**

1. The subject property is within the Area of City Impact Boundary.
2. The Comprehensive Plan Map designates this area as Stable Established and Transition. Their descriptions are as follows:

Stable Established Areas:

"These areas represent the locations where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, number of building lots and general land use are not planned to change greatly within the planning period."

Transition Areas:

These areas represent the locations where the character of neighborhoods is in transition and, overall, should be developed with care. The street network, the number of building lots and general land use are planned to change greatly within the planning period.

3. **Significant policies:**

6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."

42A2: "Property rights of citizens should be protected in land use decisions."

42C1: "Providing service to new areas should not be at the expense of areas presently being serviced."

51A: "Protect and preserve neighborhoods both old and new."

52B: "Promote a high standard of landscaping, building design and community

development.”

563: “Developers shall be encouraged to utilize marginal lands by incorporating them in their development plans as open space and/or as a less intensive use area.”

62A: “Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects.”

Evaluation: The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

- C. **Finding #B8C: The building envelope(s) (is/are) (is not/are not) compatible with or sufficiently buffered from uses on adjacent properties. Design elements that may be considered include building heights and bulk, off-street parking, open space, privacy and landscaping.**

The proposed fence is located along Coeur d'Alene Lake Drive and Potlatch Hill Road and, along with the proposed vegetative landscaping, will provide a significant buffer between these two streets and the condominium development.

- D. **Finding #B8D: The proposal (is) (is not) compatible with natural features of the site and adjoining properties. Natural features to be considered include topography, native vegetation, wildlife habitats and watercourses.**

The fence location is on relatively level topography and is adjacent to Lake Coeur d'Alene Drive and Potlatch Hill Road.

- E. **Finding #B8E: The proposal (does) (does not) provide adequate private common open space area, as determined by the Planning Commission, no less than ten percent 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.**

Not applicable to this request.

- F. **Finding #B8F: The location, design and size of the proposed building envelope is such that the traffic generated by the development (can) (can not) be**

accommodated safely on minor arterials and collector streets, and without requiring unnecessary utilization of other residential streets.

Not applicable to this request.

G. **Finding #B8G: The proposed setbacks (do) (do not) provide:**

1. **Sufficient emergency vehicle access.**
2. **That neighborhood character will be protected by adequate buffering.**
3. **For maintenance of any wall exterior from the development's property.**

Not applicable to this request.

H. **Finding #B8H: The proposed building envelope(s) (will) (will not) provide for adequate sunlight, fresh air and usable open space.**

Not applicable to this request.

I. **Finding #B8I: The proposal ensures that adequate provisions (have) (have not) been made in respect to flood and landslide hazards.**

Not applicable to this request.

J. Proposed conditions.
None.

K. Ordinances and Standards Used In Evaluation:
Comprehensive Plan - Amended 1995.
Municipal Code.
Idaho Code.
Wastewater Treatment Facility Plan.
Water and Sewer Service Policies.
Urban Forestry Standards.
Transportation and Traffic Engineering Handbook, I.T.E.
Manual on Uniform Traffic Control Devices.

ACTION ALTERNATIVES:

The Planning Commission must consider the requests and make appropriate findings to approve, deny or deny without prejudice the annexation first and the zone change second. The findings worksheet is attached.

[F:staffrptsPUD204m]

LAKE CDA DEVELOPMENT, LLC

**111 SOUTH FIRST STREET
COEUR D'ALENE, ID 83814**

**P O BOX 6200
COEUR D'ALENE, ID 83816**

September 23, 2006

Dave Yadon
City Planner
City of Coeur d'Alene
710 E. Mullan Ave.
Coeur d'Alene, ID 83814

RE: Limited PUD / The Terraces

Dear Dave:

Attached please find a completed application for the Limited PUD at the Terraces Condominium project. This project was designed with an eight foot high fence and gate along the Potlatch Hill Road, per the attached detail. We understand that in order to exceed six feet in height, the PUD must be amended.

We have filled out the paperwork for a Limited Design PUD, leaving out the areas that are not relevant, as this is an amendment to an existing approved PUD. Please advise us of any additional presentations that are necessary to submit.

Thank you.

Sincerely

A handwritten signature in black ink, appearing to read "John R. Barlow". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

John R. Barlow, Authorized Agent
Lake CDA Development, LLC

PROPERTY INFORMATION

1. Gross area: (all land involved): _____ acres, and/or _____ sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): _____ acres, and/or _____ sq. ft.
3. Total length of streets included: _____ ft., and/or _____ miles.
4. Total number of lots included: _____
5. Average lot size included: _____
6. Existing land use: New condominiums under construction.
7. Existing Zoning (circle all that apply): R-1 R-3 R-5 R-8 R-12 R-17 MH-8 C-17
C-17L C-34 LM M

PROPOSED USE:

Please describe the concept of development proposed.

New thirty one unit condominiums. This request amends existing Limited P.U.D. to allow an 8' high fence and gate per the attached.

Proposed uses and activities:

New fence and gate per the attached drawings.

Proposed residential density: _____ dwelling units per acre.

Physical land alteration required by development:


Previously approved.

Proposed percentage of impervious surface NC %

Attach a generalized site plan of the entire parcel showing schematic indication location of the following:

1. buildings
2. public and private right-of-ways
3. parking and loading areas
4. public and private open spaces
5. walkways
6. planting areas
7. etc.

On a separate sheet of paper, please provide any other information, plans, drawings, as may be necessary to fully convey the scope of the project.



**F
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**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on November 14, 2006, and there being present a person requesting approval of ITEM PUD-2-04.m a request for a Limited Design Planned Unit Development known as "Coeur d'Alene Resort Golf Course PUD" in a C-17 (Commercial at 17 units/acre) zoning district.

LOCATION: +/- 163.3-acre parcel including a portion of the Coeur d'Alene Resort Golf Course, Beach House Restaurant, properties at the northeast corner of Coeur d'Alene Lake Drive and Silver Beach Road.

APPLICANT: Hagadone Hospitality Company

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are residential – single-family, duplex and multi-family, commercial sales and service, commercial recreation and civic.
- B2. That the Comprehensive Plan Map designation is Stable Established and Transition.
- B3. That the zoning is C-17 (Commercial at 17 units/acre).
- B4. That the notice of public hearing was published on October 28, 2006, and November 7, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on November 6, 2006, which fulfills the proper legal requirement.
- B6. That 150 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 27, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on November 14, 2006.

B8. Pursuant to Section 17.07.275, Limited Design Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(does) (does not)** produce a functional, enduring and desirable environment. This is based on

B8B. The proposal **(is) (is not)** consistent with the City Comprehensive Plan, as follows:

B8C. The building envelope(s) **(is/are) (is not/are not)** compatible with or sufficiently buffered from uses on adjacent properties. Design elements that may be considered include: building heights and bulk, off-street parking, open space, privacy and landscaping.

B8D. The proposal **(is) (is not)** compatible with natural features of the site and adjoining properties. Natural features to be considered include: topography, native vegetation, wildlife habitats and watercourses.

B8E. The proposal **(does) (does not)** provide adequate private common open space area, as determined by the Planning Commission, no less than ten percent 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes. This is based on

Not applicable to this request.

B8F. The location, design and size of the proposed building envelope is such that the traffic generated by the development **(can) (can not)** be accommodated safely on minor arterials and collector streets, and without requiring unnecessary utilization of other residential streets. This is based on

Not applicable to this request.

B8G. The proposed setbacks **(do) (do not)** provide:

1. Sufficient emergency vehicle access.
2. That neighborhood character will be protected by adequate buffering.
3. For maintenance of any wall exterior from the development's property.

This is based on

Not applicable to this request.

B8H The proposed building envelope(s) **(will) (will not)** provide for adequate sunlight, fresh air and usable open space. This is based on

Not applicable to this request.

B8I. The proposal ensures that adequate provisions **(have) (have not)** been made in respect to flood and landslide hazards.

Not applicable to this request.

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **HAGADONE HOSPITALITY CO** for approval of the Limited Design Planned Unit Development, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are:

Motion by _____ seconded by _____ to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____
Chairman Bruning	Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMOS, ASSOCIATE PLANNER
DATE: NOVEMBER 14, 2006
SUBJECT: PUD-5-06 – "15TH & BEST TOWNHOMES PUD" PLANNED UNIT
DEVELOPMENT
S-12-06 – 34-LOT "15TH & BEST TOWNHOMES" PRELIMINARY PLAT
CONDOMINIUM SUBDIVISION
LOCATION – +/- 3.6-ACRE PARCEL AT THE NORTHEAST CORNER
OF 15TH STREET AND BEST AVENUE

SITE PHOTO:



PHOTOS OF SURROUNDING AREA:

A. Looking at subject property from Best Avenue



B. Looking at subject property from 17th Street.



- C. Looking North on 17th Street with subject property to the left.



DECISION POINT:

- A. Jim & Nancy Hoffman are requesting Preliminary Plat approval of "15th and Best Townhomes", a 34-lot condominium subdivision on private streets in the R-12 (Residential at 12 units/acre) zoning district and approval of "15th and Best Townhomes PUD" Planned Unit Development **a 34 unit single-family attached townhouse development consisting of 17-duplexes. Each dwelling unit is on a separate lot with a +/- 200 sq. ft. back yard adjacent to each dwelling and, as shown in the PUD plan, the common wall between each unit is a lot line so that the owner of each parcel owns both the lot and the dwelling unit. All property owners in the development will also have a proportionate share of ownership in the common areas including identified common area and the private streets. A homeowner's association through a management company will manage, control and maintain the use of all common areas.**

The proposed development includes:

1. 34 - 1,820 sq. ft. lots.
2. 34 single-family two-story attached dwelling units with a maximum height of +/- 27-feet, zero setbacks and arranged in 17 duplexes with a density of 9.4 units per acre.

3. 1.1-acres of usable open space area, which is 31% of the 3.6 acre total area of the subject property. (Open space less City retention basin, designated swales and streets).
 4. The development would be served by a private street system with 24 feet of pavement, curb & gutter and 4-foot wide sidewalks meandering through out the development.
 5. The parking requirement would be two parking spaces per unit for a total of 68 spaces. Each unit will have a two car garage and there will be approximately 19 spaces distributed throughout the development adjacent to the private drives.
 6. On each lot, garage doors would be located at the front property line adjacent to the private street creating a situation where there would not be the required 20 foot driveway between the garage door and the front property line.
 7. Extensive landscaping of the open space areas and perimeter fencing.
- B. The following modifications to various provisions of the Zoning and Subdivision Ordinances are requested through the PUD to facilitate this request:

Zoning Ordinance:

1. All proposed lots are 1,819 sq. ft. which, are below the minimum lot size requirement of 5,500 sq. ft per unit for single-family dwellings in an R-12 zone.
2. Zero frontage on a public street because the proposed development is on private streets
3. Reduce building setbacks:
Front yard – From 20-feet to 0-feet
Side yards – From 5/10-feet to 0-feet
Rear yard – From 25-feet to 0-feet
4. Reduce driveway standards, as follows:
Reduce driveway length between garage door and front property line from 20 feet to 0 feet.
5. Waive the one tree per lot street tree requirement for single-family and duplex uses.

Subdivision Ordinance:

6. Private streets:
24-foot paved street, curb & gutter, 5-foot sidewalks meandering throughout the development and 21 visitor parking spaces at various locations along the private streets. Tract A on subdivision plat accommodates the streets, curb and gutter, varies in width

between 16 feet and 40 feet and is common area owned by the homeowner's association.

(The standard street is 60-feet of right-of-way, 36-foot wide paved street with curb, gutter and 5-foot sidewalks on both sides).

- C. Evaluation: The Commission should bear in mind that a PUD is intended to provide for flexibility and diversity of use by removing the limitations in the typical lot-by-lot approach to development. It is not intended to be a means to waive certain development regulations. The Commission must, therefore, determine if the concept of the proposal is unique enough that it merits the flexibility afforded by the PUD regulations.

In making this determination, the Planning Commission should decide if the modifications requested represent a substantial change over what would be allowed if the regulations were applied on a lot-by-lot basis.

Since the proposal adheres to most site performance standards, the chief benefits of this PUD for the applicant are:

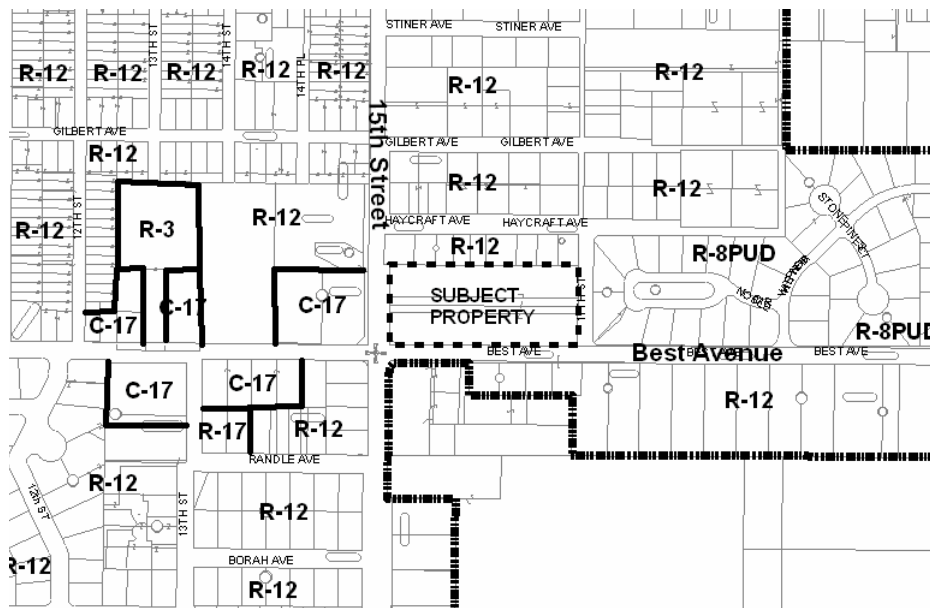
- A type of development that utilizes attached single-family housing built in a duplex arrangement on smaller than standard lots with less than standard setbacks at a density that is much higher than the surrounding area. (9.4 units/acre vs. +/- 2.8 units/acre for surrounding residential neighborhoods)
- A development with private streets.
- Streets built to design standards that are less than what is required in the Subdivision Ordinance.

The Commission must decide if this request meets the intent of the PUD regulations and in so doing may wish to consider that certain benefits accrue to the city and the public by virtue of a planned unit development:

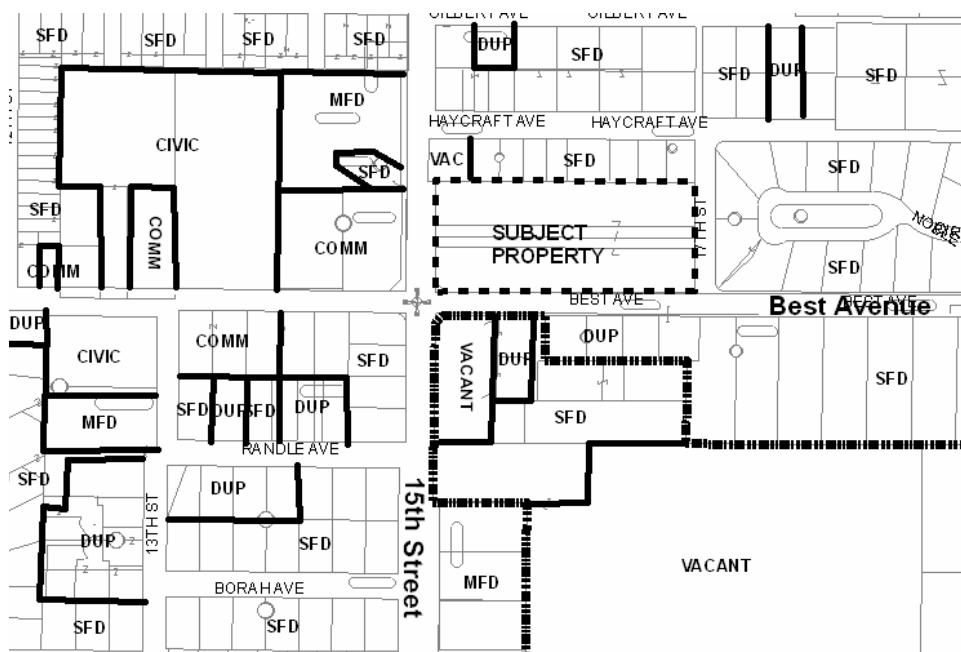
- Ability to add conditions to an approval.
- Ability to lock in development plans for the future.
- Ability to negotiate solutions that benefit all.

GENERAL INFORMATION:

A. Zoning



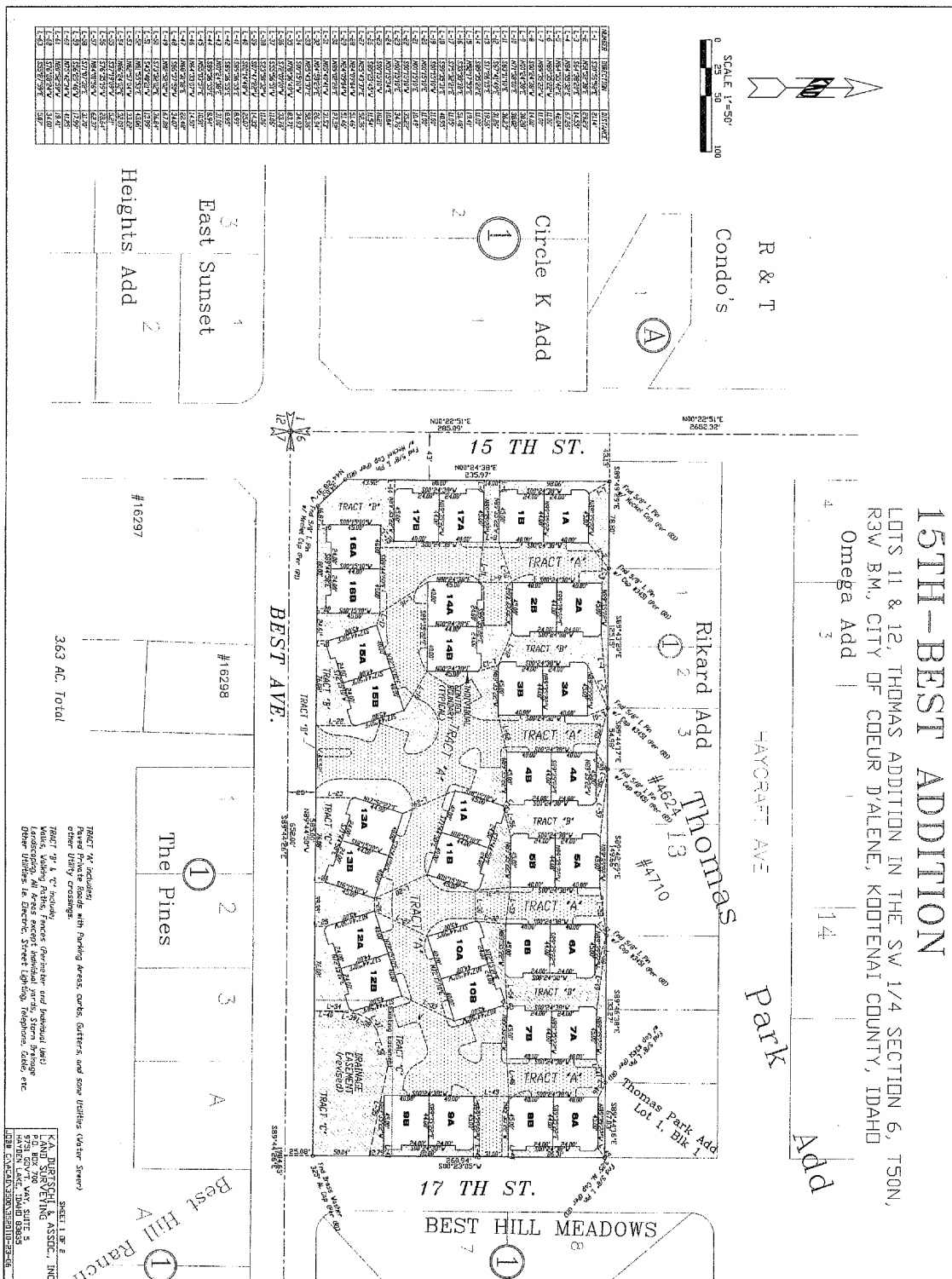
B. Generalized land use pattern:



C. Site Plan "15th and Best Townhouses PUD"



D. "15th & Best Addition" Preliminary Plat



Architectural elevation drawing of a two-story house. The drawing is annotated with vertical lines and labels at the top, indicating specific points of interest or measurement:

- A1
- A2
- A3
- A4
- A5
- B
- B5
- B4
- B3
- B2
- B1

FRONT ELEVATION

JAMES W. STILLINGER, RLS 5078




INDIVIDUAL
CONTROL
BOUNDARY


NOTES:

ALL INDIVIDUAL CONTROL BOUNDARIES AND BUILDING UNITS ARE THE SAME CONFIGURATION, WITH DIFFERENT ROTATIONS, AND/OR AS A MIRROR IMAGE.

ALL BUILDING UNITS SHALL HAVE OWNERSHIP OF THE SMALL PRIVATE YARD INCLUDED WITH THE FOOTPRINT OF THE STRUCTURE ITSELF.

EACH BUILDING UNIT OWNER SHALL HAVE ONE OWNERSHIP AND RESPONSIBILITY FOR ANY FUTURE CONSTRUCTION, MAINTENANCE AND UPKEEP OF THE COMMON AREA, WHICH ALSO INCLUDES THE COMMON AREAS LAYING BETWEEN THE PERIMETER OF EACH BUILDING, AND IT'S INDIVIDUAL CONTROL BOUNDARY. A HOMEOWNERS ASSOCIATION TO OVERSEE THESE RESPONSIBILITIES SHALL BE FORMED, WITH EACH UNIT OWNER BEING A MEMBER

 PRIVATE YARD (ATTACHED TO INDIVIDUAL UNIT)

 ADDITIONAL COMMON AREA ATTACHED TO GENERAL COMMON AREA
(Area lying between individual building unit walls and the individual Control Boundary)

G. Average residential density in surrounding area:



H. Applicant/ Owner Jim and Nancy Hoffman
8085 Salmon Berry Loop
Hayden, ID 83835

I. Land uses in the area include residential - single-family, duplex, multi-family, commercial sales and service and vacant land.

J. The subject property is vacant with a small number of significant Ponderosa Pine on the perimeter of the property.

PERFORMANCE ANALYSIS:

Planned Unit Development Findings:

A. **Finding #B8A: The proposal (is) (is not) in conformance with the Comprehensive Plan.**

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as a Transition Area, as follows:

Transition Areas:

"These areas represent the locations where the character of neighborhoods is in transition and, overall, should be developed with care. The street network, the number of building lots and general land use are planned to change greatly within the planning period."

Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:

1. The individual characteristics of the site;
2. The existing conditions within the area, and
3. The goals of the community.

Significant policies:

- 4C: "New growth should enhance the quality and character of existing areas and the general community."
- 4C1: "Development that proposes to increase the density of a given area may be allowed, provided that the increase maintains the character of the community."
- 4C3: Population growth should be compatible with preserving Coeur d'Alene's character and quality of life."
- 4C5: "New development should provide for bike paths and pedestrian walkways in accordance with the transportation plan and bike plan."
- 6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."
- 14A3: "All new developments must provide for immediate hook up to the sanitary sewer system."
- 23B1: "New developments should be required to be within an existing sewage service area or provide a system that does not pollute the aquifer."
- 24C: "Natural vegetative cover should remain as a dominant characteristic of Coeur d' Alene."
- 42A2: "Property rights of citizens should be protected in land use decisions."
- 46A: "Provide for the safe and efficient circulation of vehicular traffic."
- 51A: "Protect and preserve neighborhoods both old and new."
- 51A4: "Trees should be preserved and protected by support of the Urban Forestry Program and indiscriminate removal discouraged."
- 51A5: "Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects."
- 62A: "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects."

Transportation Plan policies:

The Transportation Plan is an addendum to the Comprehensive Plan and is a policy document that is intended to guide decisions that affect transportation issues. Its goal is to correct existing deficiencies and to anticipate, plan and provide for future transportation needs.

- 31A: "Develop an improved arterial system that integrates with existing street patterns."
- 33A: "Safe vehicular and pedestrian circulation should be enhanced through careful design and active enforcement."
- 34A: "Use existing street systems better."
- 34B: "Reduce automobile dependency by providing bike paths and sidewalks."

Coeur d'Alene Bikeways Plan:

MISSION:

The essence of the City bicycle plan is to provide bike lanes on arterial and major collector streets to provide direct, continuous, and convenient transportation access to all parts of the community.

GOAL:

The plan should be used to require dedication of right-of-way with land partitions or street construction with all new subdivisions, roadway improvement projects and wherever possible with land use applications. This practical solution will provide bicycles and pedestrians with access into all residential, commercial and industrial areas of the community thereby encouraging use of bicycles for all type of trips, to decrease reliance on the automobile and to provide low cost transportation options for people without cars – the young, the elderly, the poor and the disabled. To coordinate the City of Coeur d'Alene Bicycle Plan with other cities, districts and state agencies to develop a regional network of bicycle transportation facilities.

- 3. Evaluation: The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

B. Finding #B8B: The design and site planning (is) (is not) compatible with existing uses on adjacent properties.

The request is adjacent to the Best Hills Meadows single-family subdivision to the east and a mixed single-family and duplex neighborhood to the north.

While the proposed buildings in the development look like duplexes, the form of development is a type of single-family housing where the units are attached by a common wall to adjoining unit but the owner of each unit owns both the dwelling unit and the property it sits on. The two major differences with the surrounding area are that the development looks more like a duplex than a single-family neighborhood and the proposed density is 9.4 units per acre as opposed to approximately 2.8 units per acre for the surrounding single-family neighborhoods. The development, however, is below the maximum density allowed in an R-12 zone of 12 units per gross acre or for this parcel 34 units proposed and 45 units allowed by right.

The development has one access on Best Avenue and an emergency only access on 17th Street, is designed to be compatible with a single-family neighborhood, has 1.1-acres of usable open space area, which is 31% of the 3.6

acre total area of the subject property and has two parking spaces per dwelling located in garages and 19 guest parking spaces spread throughout the development adjacent to the private streets.

The development will be landscaped in accordance with the proposed PUD plan with a 6 foot perimeter fence.

Evaluation: The Planning Commission must determine, based on the information before them, that the request is compatible with uses on adjacent properties in terms of density, design, parking, and open space and landscaping.

C. **Finding #B8C: The proposal (is) (is not) compatible with natural features of the site and adjoining properties.**

The subject property is relatively flat with no significant topographic features. There are, however, a number of significant Ponderosa Pines spread throughout the property.

D. **Finding #B8D: The location, design, and size of the proposal are such that the development (will) (will not) be adequately served by existing public facilities and services.**

See Preliminary plat finding #B8B.

E. **Finding #B8E: The proposal (does) (does not) provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes.**

The subject property for the PUD is 3.6 acres in size or 156,816 sq. ft. The required 10% open space requirement would be 15,681 sq. ft. and must be free of buildings, streets, driveways, parking areas, and swales and be accessible to all users of the development, and usable for open space and recreational purposes.

There is 49,274 sq. ft. of usable open space or 31% of the entire property with the recreational amenities including 4 foot walking paths throughout the development, gazebo, open grassy areas and sitting areas.

Evaluation: The Planning Commission must determine that the open space is accessible to all users of the development and usable for open space and recreational purposes.

F. **Finding #B8F: Off-street parking (does) (does not) provide parking sufficient for users of the development.**

The single-family residential parking requirement is two on-site parking spaces per unit or a total of 68 spaces. Each unit has a two car garage for 68 spaces plus 19 guest spaces for a total of 87 parking spaces.

Evaluation: The number of spaces provided exceeds the minimum requirement of 68 parking spaces.

- G. **Finding #B8G: That the proposal (does) (does not) provide for an acceptable method for the perpetual maintenance of all common property.**

A homeowner's association will own and maintain all common areas.

Pursuant to Section 17.07.235 of the Planned Unit Development Regulations, "the Planning Commission can require the formation of a homeowners association to perpetually maintain all open space areas. The association shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain the open space. The association shall perpetually exist and can only be terminated by a majority vote of the members and consent of the City Council shall terminate it".

Evaluation: As a condition of approval of the PUD, the Planning Commission should require the formation of a property owners association to ensure the maintenance of all common open space areas.

- H. **Finding #B8H: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character (and) (or) existing land uses.**

The proposed development is a single-family attached development that is similar in character to surrounding residential uses and is located at the intersection of 15th Street (Minor arterial) and Best Avenue (local street).

Evaluation: The proposed development appears to be compatible with the surrounding uses and would not adversely impact traffic on adjoining streets.

Preliminary Plat Findings:

- I. Zoning:

The subject property is zoned R-12 and will not change with this request. Residential uses allowed in this zone include single-family, duplexes and cluster housing up to 12 units/acre. The applicant is requesting 34 single-family lots with 34 units of single-family attached housing at an overall density of 9.4 units per gross acre, which is a lower density than 12 units/acre or 45 units allowed by right.

The minimum lot size in the R-12 zone is 5500 sq. ft. per unit for single-family uses. With approval of the PUD, the lot sizes would be allowed below the 5500 sq. ft. minimum to 1,819 sq. ft.

There would also be reduced building setbacks for each lot as follows:

Front yard – From 20-feet to 0-feet
Side yards – From 5/10-feet to 0-feet
Rear yard – From 25-feet to 0-feet

The development is proposed on private streets, which would allow development with zero frontage rather than the 50 feet of frontage required on a public street.

- J. **Finding #B8A: That all of the general preliminary plat requirements (have) (have not) been met, as attested to by the City Engineer.**

Per Gordon Dobler, City Engineer, the preliminary plat submitted contains all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.

- K. **Finding #B8B: That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable.**

SEWER:

Sanitary sewer is available to the proposed subdivision. There are sanitary main lines located in 15th Street along the westerly boundary and Best Avenue along the southerly boundary of the subject property.

Evaluation: The design layout for the subject property will require the applicant to construct a sanitary main extension from the existing sanitary facility located in Best Avenue to the south. The proposed layout for the sanitary sewer consists of a central main line with four (4) separate "dead end" legs running to the north to provide service for 2 – 4 units. This design will lead to "odor" problems caused by low flows through the dead end sanitary main lines and become a high maintenance issue requiring continual monitoring and flushing by the Wastewater Department personnel. One means of alleviating this situation would be to utilize a smaller diameter main line (6"), however, the "10 States Standards" which is the criteria by which City public mains are designed and built, requires that the minimum size pipe for public sewer be eight inch (8") in diameter. In order to reduce the disproportionate amount of maintenance that would be associated with this design, a redesign that will provide for some scouring of the sanitary main will be required. All public sanitary main lines will be required to have easements for access and maintenance dedicated over them, 20' wide for single and 30' wide for joint sewer and water.

WATER:

City water is available to the proposed subdivision. There is an existing twelve inch (12") A.C. water main in 15th Street, a twelve inch (12") C-900 water main in Best Avenue and a six inch (6") A.C. water main in 17th Street.

Evaluation: These lines are adequate to serve the proposed subdivision. It will be required that the developer construct a "water main loop" connecting the existing mains in 17th Street and Best Avenue. It would also be desirable for enhanced flow capacity and future maintenance, to make a secondary loop to the existing water main in 15th Street.

To facilitate maintenance and insure sufficient water flows and fire protection into the four proposed "dead ends", the developer will be required to install fire hydrants at the northerly ends and install eight inch (8") mains to them. Looping of the dead end

lines would also facilitate the flows and lessen maintenance issues for the City Water Department.

All public water main lines will be required to have easements for access and maintenance dedicated over them, 20' wide for single and 30' wide for joint sewer and water. Easements over the water mains will be required to extend to encompass the installed fire hydrants.

STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.

Evaluation: A detailed stormwater plan submittal is a requirement of the site design and is required to be submitted with the "on-site" civil design for the subject property. It will be reviewed at that time for conformance with the City requirements. The on-site drainage will not be allowed to utilize the existing City drainage facility located on the subject property. The existing City stormwater swale located on the subject property may be reconfigured to facilitate the development; however, the capacity of the swale cannot be lessened.

TRAFFIC:

The ITE Trip Generation Manual estimates the project will generate approximately 8.9 trips per day during the peak hour periods (utilizing an average peak hour trip factor of 0.52)

Evaluation: Best Avenue, the adjacent street which will serve as the point of ingress and egress, is controlled by a signalized intersection and will accommodate the additional traffic volume. Due to the proximity to the 15th/Best intersection and conflicts with the southbound, left turn lane, access onto 15th Street if proposed, will be restricted to right turn egress, northbound only. No ingress traffic would be allowed.

STREETS:

The proposed subdivision is bordered by 15th Street on the West, Best Avenue on the south and 17th Street on the east. The current right-of-way width's all meet City standards.

Evaluation: Both 15th Street and Best Avenue are fully developed street sections, however, sidewalk needs to be installed on the Best Avenue frontage. Seventeenth Street, which is considered a fire lane, barricaded at both ends between Best and Haycraft Avenues has only a paved surface.

The interior streets have been proposed to be private and twenty four feet (24') wide with a four foot (4') pedestrian walking lane for a twenty eight foot (28') width.

Evaluation: The proposed interior roadway will suffice in the proposed configuration. The addition of the four foot (4') walkway will allow sufficient width to meet City Fire Department width criteria.

The roadway in the subject development will be "private", owned and maintained by the requisite homeowners association.

Evaluation: The roadways will be required to be posted with names that have been previously approved by the Kootenai County Planning Department, and, have the names installed per City Standards with white lettering on a blue background. Also, since the roadway is private, it will be required to be designated as a "Tract" on the subdivision plat document.

FIRE PROTECTION:

Due to the number of units (17 duplex type structures, 34 units), secondary access for emergency vehicles is required. The Developer will be required to install gates, approved by the City Fire Department at the secondary access point on the easterly boundary, and, at the 17th Street/Best Avenue connection. All costs associated with these gates will be the responsibility of the developer.

APPLICABLE CODES AND POLICIES:

UTILITIES:

1. All proposed utilities within the project shall be installed underground.
2. All water and sewer facilities shall be designed and constructed to the requirements of the City of Coeur d'Alene. Improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
3. All water and sewer facilities servicing the project shall be installed and approved prior to issuance of building permits.
4. All required utility easements shall be dedicated on the final plat.

STREETS:

5. Street improvement plans conforming to City guidelines shall be submitted and approved by the City Engineer prior to construction.
6. All required street improvements shall be constructed prior to issuance of building permits.
7. An encroachment permit shall be obtained prior to any work being performed in the existing right-of-way.

STORMWATER:

8. A stormwater management plan shall be submitted and approved prior to start of any construction. The plan shall conform to all requirements of the City.

GENERAL

9. The final plat shall conform to the requirements of the City.
10. The Covenants, Conditions, and Restrictions and/or Articles of Incorporation of the homeowners association shall be subject to review for compliance with the conditions herein by the City Attorney.

Submitted by Chris Bates, Project Manager

FIRE:

The standard Fire Dept. issues of access, water supplies, etc. will be addressed at the plan review phase. However, the bigger issue is the ability of the Fire Dept. (and other city services) to meet the increased demands on services such developments bring to the table, without increasing personnel and equipment.

Submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Captain Steve Childers

- L. **Finding #B8C: That the preliminary plat (is) (is not) in conformance with the Comprehensive Plan as follows:**

See Finding #B8A in Planned Unit Development Findings.

- M. **Finding #B8D: That the public interest (will) (will not) be served.**

The subject property is within the corporate limits and will create a 34-lot subdivision on private streets that will provide an alternative form of housing for the Coeur d'Alene area.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request will or will not serve the public interest. Specific ways in which this request does or does not should be stated in the finding.

- N. **Finding #B8E: That all of the required engineering elements of the preliminary plat (have) (have not) been met, as attested to by the City Engineer.**

A preliminary utility design was submitted indicating that all proposed lots could be served.

- O. **Finding #B8F: That the lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.**

If the requested PUD is approved, a new set of development standards would be created for the items below. Except for these modifications, all other applicable development standards in the R-12 zone would apply to this project.

Zoning Ordinance:

1. All proposed lots are 1,819 sq. ft. which, are below the minimum lot size requirement of 5,500 sq. ft per unit for single-family dwellings in an R-12 zone.
2. Zero frontage on a public street because the proposed development is on private streets
3. Reduce building setbacks:
Front yard – From 20-feet to 0-feet
Side yards – From 5/10-feet to 0-feet
Rear yard – From 25-feet to 0-feet
4. Reduce driveway standards, as follows:
Reduce driveway length between garage door and front property line from 20 feet to 0 feet.
5. Waive the one tree per lot street tree requirement for single-family and duplex uses.

Subdivision Ordinance:

6. Private streets:
24-foot paved street, curb & gutter, 5-foot sidewalks meandering throughout the development and 21 visitor parking spaces at various locations along the private streets. Tract A on subdivision plat accommodates the streets, curb and gutter, varies in width between 16 feet and 40 feet and is common area owned by the homeowner's association.

(The standard street is 60-feet of right-of-way, 36-foot wide paved street with curb, gutter and 5-foot sidewalks on both sides).

Evaluation: The Planning Commission must determine if the new set of standards requested through the PUD are appropriate in the eC-17L zoning district.

- P. **Finding #B9: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses.**

See PUD finding B8H.

- Q. Proposed conditions:

1. Formation of a homeowners association with CC&R's that includes detailed maintenance responsibilities of all private infrastructure (roads, drainage structures, street lighting, and all open space areas etc.), prior to recordation of the final plat.
2. Redesign the sanitary sewer to reduce or eliminate the "dead end" lines and increase the flow necessary to achieve scouring in the sanitary mains.

3. Construct looping connections for the water main between 17th Street and Best Avenue, with a secondary connection to 15th Street.
4. Install fire hydrants at the end of the “dead end” legs to facilitate the water system and fire protection. Water mains to these hydrants will be required to be eight inch (8”).
5. The existing City stormwater swale situated in an easement in the southeast corner of the subject property can be reconfigured if necessary; however, swale capacity cannot be diminished.
6. Access if proposed on to 15th Street would be restricted to egress and northbound only. No ingress or southbound egress turning movements would be allowed.
7. Sidewalk installation is required along the Best Avenue frontage.
8. The interior private roadway may be twenty four feet (24') in width with a four foot (4') pedestrian path, for a total twenty eight foot (28') width.
9. The private roadway shall have a “tract” designation and shall be maintained by the homeowners association of the development.
10. The developer shall install access gates at the easterly emergency access point to the site, and, at the 17th/Best connection. All costs will be the responsibility of the developer.
11. Access and maintenance easements will be required to be dedicated over the public sewer and water mains located on the subject property that are not situated within public right-of-way. Easement widths will be twenty feet (20') for single utility and thirty feet (30') for double utility.

R. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.
 Transportation Plan
 Municipal Code.
 Idaho Code.
 Wastewater Treatment Facility Plan.
 Water and Sewer Service Policies.
 Urban Forestry Standards.
 Transportation and Traffic Engineering Handbook, I.T.E.
 Manual on Uniform Traffic Control Devices.
 Coeur d'Alene Bikeways Plan
 Kootenai County Assessor's Department property records

ACTION ALTERNATIVES:

The Planning Commission must consider this request and make appropriate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

[F:\pcstaff\ptsPUD506&S1206]

STAMSOS, JOHN

From: bart north [bartdnorth@icehouse.net]
Sent: Thursday, October 26, 2006 8:03 AM
To: STAMSOS, JOHN
Subject: Re: 15th & Best Townhomes

John,

Thanks for the e-mail. Below is an itemized response to your comments.

1. Is the requirement you are referencing by this comment contained in the zoning ordinance - 17.06.460?
2. We had provided a land use summary table in our October 25, 2006 PUD narrative. The landscaped open space consists of approximately 40% of the total parcel area and includes the following:

City Retention Basin:	6816 sf
Landscaping (including swales):	55,614 sf
Grassed Fire Access:	<u>1,171 sf</u>
	63,601 sf
Total Parcel Area:	158,024 sf

While there is no specific use designated for the open space, a walkpath incorporated into it to encourage the residents to interact with it. The open space, including the swales are part of the landscaped environment of the community. This includes the City retention basin. In this instance, the swales are not institutional bath tubs of no use. The stormwater system is proposed to be incorporated into the landscaping and become a functioning part of the landscaping of the community.

May I suggest that we meet briefly Friday morning to review the submittal package. It looks like it may be applicable to clean it up into a single package and make sure that all the submittals/revisions are present and tied together as one package.

----- Original Message -----

From: STAMSOS, JOHN
To: bartdnorth@icehouse.net
Sent: Wednesday, October 25, 2006 3:01 PM
Subject: 15th & Best Townhomes

Bart here are the items we talked about:

1. Parking – each unit has a 2-car garage and there are additional visitor spaces spread throughout the development but the garage doors appear to be at the property line adjacent to the street. The required 20 foot driveway reduced to 0-feet will have to be one of the deviations you ask for through the PUD.
2. Please calculate and give me the amount in sq. ft. of usable open space (open space not used for streets or grassy swales) and all the recreational uses that this space will be used for.

I will need this ASAP and no later than Friday.
Thanks, John

John Stamsos
Associate Planner
City of Coeur d'Alene
208-769-2271
jstamsos@cdaid.org

15TH AND BEST TOWNHOMES

A PLANNED UNIT DEVELOPMENT

IN THE

CITY OF COEUR D' ALENE, IDAHO

SEPTEMBER 30, 2006
October 5, 2006 Revision
October 25, 2006 Revision

APPLICATION NARRATIVE/NOTES

SUBMITTALS

1. SET OF DESIGN DRAWINGS PRESCRIBED IN
ATTACHED FORM INCLUDING 8 1/2" X 11" SITE PLAN
2. AN OWNERS' LIST PREPARED BY A TITLE
INSURANCE COMPANY
 - A. PROPERTY OWNERS WITHIN 300-FT OF
PROPERTY BOUNDARY
 - B. PROPERTY OWNERS WITHIN PROPERTY
BOUNDARIES
3. RESIDENTS' LIST LISTING RESIDENTIAL PROPERTY
THAT IS NOT OWNER OCCUPIED
4. TITLE REPORT(S)
5. \$600 FEE

APPLICANT:

JIM HOFFMAN AND NANCY D. HOFFMAN
8085 SALMON BERRY LOOP
HAYDEN, IDAHO 83835
(208) 762-5825
e-mail: hoffman@aol.com

FILING CAPACITY:

OWNER AS OF 2/22/2000

CONSULTANTS:

ARCHITECT:

JRA ARCHITECTURE AND PLANNING
2200 WEST ROSEBUD LANE
COEUR D' ALENE, IDAHO 83814
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(208) 730-1111 (FAX)
CONTACT: DALE B. JOHNSON, PRINCIPAL
e-mail: dale@jra-arc.com

LANDSCAPE ARCHITECT:

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CIVIL ENGINEER:

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(208) 762-5179 (FAX)
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SURVEYOR:

DURTSCHI & ASSOCIATES
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9751 N. GOVERNMENT WAY, STE. 5
HAYDEN, IDAHO 83835
(208) 772-2233
(208) 772-5108 (FAX)
CONTACT: JIM STILLINGER, PLS
e-mail: jstillinger@verizon.net

LEGAL DESCRIPTION OF PROPERTY:

LOTS 11 AND 12, THOMAS PARK ADDITION, KOOTENAI COUNTY, STATE OF IDAHO, ACCORDING TO THE PLAT RECORDED IN BOOK "B" OF PLATS, PAGE 142.

TOGETHER WITH THAT PORTION OF UNDEVELOPED CLARK AVENUE,

EXCEPTING THEREFROM A PORTION OF LOTS 11 AND 12 (INCLUDING VACATED CLARK STREET), THOMAS PARK ADDITION, ACCORDING TO THE PLAT RECORDED IN THE OFFICE OF THE COUNTY RECORDER IN BOOK B OF PLATS, PAGE 142, RECORDS OF KOOTENAI COUNTY, STATE OF IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 11; THENCE

ALONG THE WEST LINE OF SAID LOTS 11 AND 12, NORTH 00 22' 23" EAST, FOR A DISTANCE OF 260.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 12; THENCE

ALONG THE NORTH LINE OF SAID LOT 12, SOUTH 89 44' 50" EAST, FOR A DISTANCE OF 18.00 FEET TO A POINT ON A LINE OFFSET 18.00 FEET EASTERLY AND PARALLEL WITH SAID WEST LINE OF LOTS 11 AND 12; THENCE

ALONG SAID OFFSET LINE, SOUTH 00 22' 23" WEST, FOR A DISTANCE OF 236.00 FEET; THENCE

SOUTH 44 41' 14" EAST, FOR A DISTANCE OF 33.90 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 11; THENCE

ALONG SAID LINE, NORTH 89 44' 50" WEST, FOR A DISTANCE OF 42.00 FEET TO THE **POINT OF BEGINNING**

PROPERTY ADDRESS: (NONE LISTED)

PROPERTY INFORMATION:

1. GROSS AREA: 3.627 ACRES (158024 SF)
2. TOTAL NET AREA: (SAME)
3. TOTAL LENGTH OF STREETS: 1150 LF
4. TOTAL NUMBER OF LOTS: 34 (PLUS COMMON AREA TRACT)
5. AVERAGE LOT SIZE INCLUDED: 1819 SF
6. EXISTING LAND USE: VACANT
7. EXISTING ZONING: R-12

(SEE LAND USE SUMMARY TABLE ATTACHED)

PROPOSED USE:

DEVELOPMENT CONCEPT AND PROPOSED USE CONSISTS OF A RESIDENTIAL COMMUNITY CONSISTING OF 34 SINGLE FAMILY ATTACHED UNITS DISTRIBUTED OVER THE PROPERTY IN 17 DUPLEX UNITS. INDIVIDUAL UNITS ON THE LOTS DESCRIBED ABOVE WOULD BE OFFERED FOR SALE IN FEE SIMPLE, AS SINGLE FAMILY HOMES. WITH THE EXCEPTION OF FENCED PATIOS, THE REMAINING AREA WOULD BE USED FOR INGRESS/EGRESS, UTILITIES AND LANDSCAPED OPEN SPACE OWNED AND MAINTAINED BY A HOME OWNERS ASSOCIATION.

PROPOSED RESIDENTIAL DENSITY: $34/3.627 = 9.37$ DWELLING UNITS/ACRE

PHYSICAL LAND ALTERATION OF THE SITE REQUIRED BY THE DEVELOPMENT:

- EXTENSION OF CITY WATER ON TO THE PROPERTY
- EXTENSION OF CITY SEWER ON TO THE PROPERTY
- EXTENSION OF DRY UTILITIES ON TO THE PROPERTY
- SITE GRADING/SHAPING FOR DRAINAGE SWALES
- CONSTRUCTION OF CURB/SIDEWALK/PAVING FOR VEHICULAR/PEDESTRIAN ACCESS
- RESIDENTIAL BUILDING CONSTRUCTION
- PERIMETER FENCING
- ENTRANCE STRUCTURE
- CONSTRUCTION OF LANDSCAPING IMPROVEMENTS OVER THE SITE INCLUDING LANDSCAPE MITIGATION OF THE CITY STORMWATER RETENTION BASIN
- IN ADDITION, SIDEWALKS WILL BE CONSTRUCTED ALONG THE BEST AVENUE FRONTAGE

PROPOSED PERCENTAGE OF IMPERVIOUS SURFACE: 59.76%

APPLICATION NARRATIVE

GENERAL LEGAL DESCRIPTION OF PROPERTY:

ALL THAT CERTAIN REAL PROPERTY KNOWN AS THE NORTH EASTERLY CORNER OF 15TH AND BEST, OTHERWISE KNOWN AS THE 3.6 ACRES CONTAINED IN LOTS 11 AND 12, THOMAS ADDITION IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 50 NORTH, RANGE 4 WEST, B.M., CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO

PROPOSAL:

JIM AND NANCY HOFFMAN (APPLICANTS) HEREBY REQUEST A PLANNED UNIT DEVELOPMENT FOR THE SUBDIVISION OF SAID PROPERTY TO ALLOW 34 ZERO LOT LINE TOWNHOME RESIDENCES IN A LANDSCAPED COMMUNITY SETTING

DESCRIPTION OF PROPOSED FACILITIES:

SITE DESCRIPTION/CHARACTERIZATION: THE SITE IS BOUNDED ON THE SOUTH BY BEST AVENUE, ON THE WEST BY 15TH STREET, AND ON THE EAST BY 17TH STREET, AND ON THE NORTH BY EXISTING RESIDENTIAL DEVELOPMENT.

ADJACENT DEVELOPMENT INCLUDES A MIX OF INCIDENTAL COMMERCIAL, APARTMENTS, AND AVERAGE TO ABOVE AVERAGE SINGLE FAMILY DWELLINGS.

THE CITY RECENTLY CONSTRUCTED A STORMWATER RETENTION BASIN ON THE SOUTHEAST CORNER OF THE PROPERTY WHICH, BY EASEMENT, IT INTENDS TO OPERATE INTO PERPETUITY.

SITE SOILS ARE WELL DRAINED SANDS AND GRAVELS.

PHYSICAL DESCRIPTION OF TOWNHOMES: RATHER THAN PROCEED WITH A MAXIMUM DENSITY, LARGE BOX APARTMENT DEVELOPMENT, THE OWNER PREFERRED TO DERIVE THE BUILDING DESIGN CHARACTERISTICS FROM THE SINGLE-FAMILY ASPECT OF THE SITE, IN PARTICULAR IN

ACCORD WITH THE BEST HILLS RESIDENTIAL DEVELOPMENT TO THE EAST.

THE BUILDINGS ARE COMPOSITIONALLY WELL-SCALED, WITH ONE AND TWO-STORY MODULATION ON ALL SIDES, A HIPPED MAIN ROOF, AND GABLES AND DORMERS AT PORCH, AND SECOND STORY WINDOW LOCATIONS. SIDING PROPOSED IS HARDI-PLANK, AN UP-SCALE COMPOSITE CEMENT BOARD IN FREQUENT USE IN BEST HILLS. EACH UNIT IS DESIGNED WITH A MONUMENTAL STONE CHIMNEY, AND COMPLIMENTARY STONE ACCENTS PLACED QUALITATIVELY IN PORCH AND ENTRY AREAS. THE PORCH AND REAR DECK AREAS ALSO HAVE 2X4 TOP RAILS WITH 2X2 PICKETS AT ALL GUARD AND STAIR RAIL LOCATIONS. TRELLIS IS PROPOSED SPANNING THE GARAGE DOOR, AND ALONG THE CHIMNEY WALL, WITH COMPLIMENTARY VINE TYPE PLANTING SUCH AS WISTERIA, ETC. THE LANDSCAPING PROPOSED IS EXTENSIVE, AND INTENDED TO COMPLIMENT THE BUILDING DESIGN.

LANDSCAPE: DECIDUOUS SHADE STREET TREES WILL LINE THE RIGHT OF WAY ALONG 15TH STREET AND BEST AVENUE WITH QUANTITY OF PLANTINGS EXCEEDING THE MINIMUM CITY REQUIREMENTS OF THE CITY STREET TREE ORDINANCE. THE INTERIOR OF THE PROJECT WILL CONSIST OF A MIX OF HARDY EVERGREEN AND DECIDUOUS TREES AND SHRUBS THAT PROVIDE SHADE AND SCREENING FOR THE BUFFER YARDS AND COMMON SPACE AREAS. THESE PLANTINGS WILL ALSO EXCEED THE MINIMUM ORDINANCE REQUIREMENTS FOR PLANTING QUANTITIES. GROUNDCOVERS AND CLIMBING VINES ARE AN INTEGRAL PART OF THE DEVELOPMENT CHARACTER AND WILL BE USED TO ACCENTUATE ARCHITECTURAL TRELLIS STRUCTURES LOCATED THROUGHOUT. LAWN AREAS WILL BE LOCATED IN COMMON AREAS FOR STORM WATER TREATMENT AND IN CONJUNCTION WITH OPEN SPACE AMENITIES.

CIRCULATION: A LANDSCAPED MEDIAN IN THE DRIVEWAY ENTRY, WITH ACCOMPANYING LANDSCAPING AND SIGNAGE ON BOTH SIDES, CREATES AN ENTRANCE IDENTITY FOR THE DEVELOPMENT. THE INTERIOR 24' WIDE PAVED PRIVATE

ROAD VEHICULAR CIRCULATION SYSTEM MEANDERS THROUGHOUT THE DEVELOPMENT OF TOWN HOMES TO ALLOW ACCESS TO UNIT GARAGES. DRIVEWAYS CONSIST OF ASPHALT WITH CONCRETE CURB AND GUTTER THAT PROVIDE ACCESS FROM BEST AVENUE AND EMERGENCY ACCESS TO 17TH STREET. VEHICULAR TURNING RADII ARE GENEROUS TO ALLOW FOR FIRE TRUCK MANEUVERING AS WELL AS TURF PAVER TURNAROUND AREAS AND FIRE EXITS FOR EMERGENCY USE. 4' WIDE PATHS ADD TO THE INTERIOR PEDESTRIAN CONNECTIVITY OF THE DEVELOPMENT BY ALLOWING ACCESS TO COMMON SPACE AND CONNECTION TO PERIMETER WALKS. CROSSWALKS ARE PROVIDED AT STRATEGIC LOCATIONS TO PROMOTE PEDESTRIAN SAFETY.

UTILITIES:

WATER: CITY WATER IS AVAILABLE TO SERVE THE PROJECT. 8" DIAMETER WATER WILL BE LOOPED THROUGH THE PROJECT FROM BEST AVENUE TO 17TH STREET. WATER MAIN AND SERVICES WILL BE CONSTRUCTED IN A DEDICATED EASEMENT ALIGNED TO PROVIDE COMPLETE ACCESS TO THE WATER SYSTEM AND APPURTENANCES TO CITY WATER DEPARTMENT CREWS. A SEPARATE WATER METER IS PROPOSED FOR EACH SINGLE FAMILY RESIDENTIAL UNIT. FIRE HYDRANTS ARE POSITIONED OVER THE SITE AS RECOMMENDED AND APPROVED BY THE FIRE DEPARTMENT.

SEWER: GRAVITY SEWER IS STUBBED TO THE PROPERTY IN 3 LOCATIONS. THE SEWER IS SHALLOW AND THE SITE IS PROPOSED TO BE GRADED SO THAT MINIMUM VERTICAL WATER/SEWER SEPARATION DISTANCES ARE MET. SEWER EXTENSION IS PROPOSED UTILIZING 8" ASTM 3034 PVC CONSTRUCTED AT 0.4% SLOPE WITH MANHOLES AT ALL CHANGES ON GRADE/DIRECTION. A SINGLE 4" SEWER SERVICE CONSTRUCTED TO UNIFORM PLUMBING CODE IS PROPOSED FOR EACH SINGLE FAMILY RESIDENTIAL UNIT. (SEE ATTACHED PRELIMINARY SEWER DESIGN SUMMARY TABLE AND SHEET 7 OF PUD CONCEPT DRAWINGS).

DRAINAGE: SURFACE RUNOFF FROM ROOF TOPS WILL BE COLLECTED IN GUTTERED DOWNSPOUTS AND HARD-PIPED DIRECTLY TO DRYWELLS. SURFACE RUNOFF FROM PAVED AREAS WILL BE CONVEYED BY SURFACE GRADING TO BIOFILTRATION AREA(S) SIZED PER CITY OF COEUR D' ALENE REQUIREMENTS WITH DRYWELL OVERFLOWS. DRYWELLS WILL BE REGISTERED WITH IDWR AS REQUIRED.

DRY UTILITIES: IT IS THE INTENT TO PROVIDE POWER, GAS, AND COMMUNICATION UTILITIES TO EACH RESIDENTIAL UNIT. ALL DRY UTILITIES WILL BE BURIED IN CONFORMANCE WITH THE REQUIREMENTS OF EACH RESPECTIVE UTILITY COMPANY. ACCESS FOR OPERATION/MAINTENANCE TO THE DRY UTILITIES WILL BE PROVIDED BY EASEMENT ON THE FACE OF THE PLAT.

CITY OF CDA STORMWATER RETENTION BASIN: BY AGREEMENT WITH THE CITY, THE RETENTION BASIN WILL BE RECONFIGURED BY THE FOLLOWING CRITERIA:

1. MAINTAIN FLOOR ELEVATION
2. MAINTAIN EXISTING UTILITY LOCATIONS/ELEVATIONS
3. MAINTAIN STORAGE VOLUME

THE PROPOSED RETENTION BASIN RECONFIGURATION IS DEPICTED ON SHEET 10 OF THE CONCEPT PUD DRAWINGS AND MEETS/EXCEEDS THE CRITERIA LISTED. IN ADDITION, A RAMP FOR EQUIPMENT ACCESS IS PROPOSED TO BE INCORPORATED INTO THE BASIN SIDEWALL.

IT IS THE INTENT OF THE PROJECT TO LANDSCAPE THE RETENTION BASIN, MAINTAINING A GRASS FLOOR WITH TREES AND SHRUBBERY ALONG THE SIDE WALLS

COMMON AREA OWNERSHIP/MANAGEMENT:

IT IS THE INTENT OF THE APPLICANT TO ESTABLISH A HOME OWNERS ASSOCIATION IN ACCORDANCE WITH IDAHO CODE TO PROVIDE FOR THE OWNERSHIP AND MANAGEMENT OF ALL COMMON AREAS WITHIN THE PROJECT.

SUBDIVISION PLAT CONCEPT:

(REFERENCE SHEETS 11 AND 12 OF PUD CONCEPT DRAWINGS)

IT IS THE INTENTION OF THIS SUBDIVISION PROPOSAL TO SUBDIVIDE LOT 11 AND 12 OF "THOMAS PARK ADD." TO THE CITY OF COEUR D' ALENE, AN AREA OF APPROXIMATELY 3.63 ACRES, INTO 34 ATTACHED SINGLE-FAMILY UNITS. ALL UNITS ARE IDENTICAL IN CONFORMATION, WITH THE UNIFORM FLOOR PLAN BEING ADJUSTED TO FIT THE OVERALL LAYOUT BY LOCATION, ROTATION, AND MIRROR IMAGES.

EACH SINGLE FAMILY LOT IS APPROXIMATELY 1820 S.F., OF WHICH APPROX. 1620 S.F. IS WITHIN THE EXTERIOR WALL OF EACH PROPOSED BUILDING, WHICH INCLUDES AN ENCLOSED GARAGE.

ALSO INCLUDED WITH EACH UNIT, IS A FENCED BACK YARD OF APPROXIMATELY 200 S.F.

IN ORDER TO LIMIT THE CONFUSION OF THE MULTI-ANGLED EXTERIOR DESCRIPTION OF EACH BUILDING, A MORE UNIFORM ENCLOSURE (INDIVIDUAL CONTROL BOUNDARY) IS PROPOSED.

EACH UNIT CAN THEN BE DESCRIBED BY COURSES FROM THE EXTERIOR BOUNDARY, AND THE SMALL AREAS LYING BETWEEN THE EXTERIOR BUILDING WALLS (INCLUDING THE BACK YARD) AND THE (INDIVIDUAL CONTROL BOUNDARY) WOULD BE DEDICATED TO THE GENERAL COMMON AREA

THE GENERAL COMMON AREA WOULD ALSO CONTAIN ALL OTHER LANDS WITHIN THIS SUBDIVISION, EXCLUSIVE OF THE 34 (INDIVIDUAL CONTROL BOUNDARIES). AS SHOWN ON THE PRELIMINARY PLAT, THE COMMON AREA IS PROPOSED TO BE DESIGNATED ON THE PLAT IN 2 TYPES OF TRACTS. THE FIRST TYPE IS THE PRIVATE ROAD SYSTEM. THE SECOND TYPE IS LANDSCAPED COMMON AREA THAT WILL INCLUDE THE DRAINAGE SWALES FOR THE PRIVATE STREET SYSTEM.

LYING WITHIN THIS GENERAL COMMON AREAS WILL LAY ALL INFRASTRUCTURE COMPONENTS, INCLUDING BUT NOT LIMITED TO; ROADS WITH CURB-GUTTER, SIDEWALKS AND PATHWAYS, APPROACHES WITH ENTRANCE ISLANDS AND EXTERIOR FENCING, LANDSCAPING OF ALL AREAS INCLUDING INTERIOR FENCING AND PLANTINGS FOR EACH BUILDING UNIT. (EXCEPTING EACH INDIVIDUAL FENCED BACK YARD).

ALSO LAYING WITHIN THE GENERAL COMMON AREA WILL BE ALL UTILITIES, INCLUDING BUT NOT LIMITED TO; DOMESTIC WATER WITH FIRE PROTECTION, SEWER, DRAINAGE FACILITIES, UNDERGROUND ELECTRICITY, STREET LIGHTING, UNDERGROUND TELEPHONE, TV CABLE, GAS ETC.

A HOMEOWNERS ASSOCIATION WILL BE FORMED FROM ALL UNIT OWNERS AND BYLAWS DRAFTED AND FILED TO GOVERN THE CARE, MAINTAINANCE, AND OPERATION OF ALL UTILITIES WHICH ARE NOT CONTROLLED BY AN EXISTING UTILITY COMPANY, AS WELL AS FOR THE CARE AND MAINTENANCE OF ALL LANDSCAPED AREA (AGAIN EXCEPTING EACH INDIVIDUAL FENCED BACK YARD)

PROPOSED DEPARTURES FROM UNDERLYING R-12 ZONING:

1. LOT AREA /DWELLING UNIT PER R-12: 3,500 SF
LOT AREA/DWELLING UNIT PER PROPOSED PUD 1,819 SF
2. ATTACHED SINGLE-FAMILY UNITS ARE DEFINED FOR THE PURPOSE OF CONVEYANCE AS ½ HALF OF THE DUPLEX UNIT BOUNDED BY BUILDING FOOTPRINT AND SHARED WALL WITH A SMALL PATIO COURTYARD FOR EACH UNIT.
3. BUILDING SETBACKS PER R-12 FROM:

FRONT (15 TH ST.)	20-FT
SIDE FRONT (BEST AV.)	10-FT
INTERIOR SIDE (NORTH)	5-FT
REAR (17 TH ST.)	25-FT


BUILDING SETBACKS PER PROPOSED PUD (FROM
EXTERIOR PROPERTY BOUNDARY):

FRONT(15 TH ST.)	10-FT
SIDE FRONT(BEST AV.)	12-FT
INTERIOR SIDE(NORTH)	8-FT
REAR (17 TH ST.)	10-FT

LOT BUILDING SETBACKS: ZERO-FT

**PROPOSED DEPARTURES FROM SUBDIVISION ROAD
STANDARDS:**

1. ROAD INGRESS/EGRESS THROUGH THE DEVELOPMENT IS DEDICATED AS PART OF A COMMON AREA TRACT VERSUS A STANDARD 60-FT PUBLIC ROAD RIGHT OF WAY.
2. ROAD INGRESS/EGRESS THROUGH THE DEVELOPMENT IS PROPOSED TO BE HOMEOWNER ASSOCIATING OWNED/MAINTAINED 24-FT WIDE CURBED PAVEMENT VERSUS 36-FT WIDE CURBED PAVEMENT.
3. PEDESTRIAN WALKWAYS ARE PROVIDED THROUGHOUT THE DEVELOPMENT. THE WALKWAY CONFIGURATION CONSISTS OF 5-FT SIDEWALK THAT VARIES IN ALIGNMENT FROM THE STANDARD ROAD CROSS SECTION IN THAT IT MEANDERS THROUGHOUT THE DEVELOPMENT INSTEAD OF FOLLOWING A UNIFORM SETBACK FROM THE ROAD EDGE.
4. OFF-STREET PARKING IS PROVIDED BY GARAGES. THERE IS NO PARKING PAD PROPOSED IN FRONT OF EACH UNIT. OVERFLOW PARKING IS DISTRIBUTED OVER THE DEVELOPMENT IN COMPLIANCE TO PROVIDE THE SPECIFIED NUMBER OF PARKING STALLS REQUIRED FOR R-12 ZONING.



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**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on November 14, 2006, and there being present a person requesting approval of ITEM PUD-5-06 a request for a planned unit development known as "15th and Best Townhomes PUD"

LOCATION: Location – +/- 3.6-acre parcel at the northeast corner of 15th Street and Best Avenue

APPLICANT: Jim & Nancy Hoffman

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1-through7.)

- B1. That the existing land uses are residential - single-family, duplex, multi-family, commercial sales and service and vacant land.
- B2. That the Comprehensive Plan Map designation is Transition
- B3. That the zoning is R-12 (Residential at 12 units/acre)
- B4. That the notice of public hearing was published on October 28, 2006, and November 7, 2006 which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on November 3, 2006, which fulfills the proper legal requirement.
- B6. That 96 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 27, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on November 14, 2006.
- B8. Pursuant to Section 17.07.230, Planned Unit Development Review Criteria, a planned unit development may be approved only if the proposal conforms to the following criteria to the satisfaction of the Planning Commission:

B8A. The proposal **(is) (is not)** in conformance with the Comprehensive Plan. This is based upon the following policies:

B8B. The design and site planning **(is) (is not)** compatible with existing uses on adjacent properties. This is based on

Criteria to consider for B8B:

- | | |
|----------------------------|----------------|
| 1. Density | 6. Open space |
| 2. Architectural style | 7. Landscaping |
| 3. Layout of buildings | |
| 4. Building heights & bulk | |
| 5. Off-street parking | |

B8C The location, design, and size of the proposal are such that the development **(will) (will not)** be adequately served by existing public facilities and services. This is based on

Criteria to consider for B8C:

1. Is there water available to meet the minimum requirements for domestic consumption & fire flow?
2. Can sewer service be provided to meet minimum requirements?
3. Can the existing street system accommodate the anticipated traffic to be generated by this development?
4. Can police and fire provide reasonable service to the property?

B8D The proposal **(does) (does not)** provide adequate private common open space area, as determined by the Commission, no less than 10% of gross land area, free of buildings, streets, driveways or parking areas. The common open space shall be accessible to all users of the development and usable for open space and recreational purposes. This is based on

B8E Off-street parking **(does)(does not)** provide parking sufficient for users of the development. This is based on

B8F That the proposal **(does) (does not)** provide for an acceptable method for the perpetual maintenance of all common property. This is based on

B8G That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character **(and) (or)** existing land uses because

Criteria to consider for B8G:

1. Will the change in traffic flow adversely affect the livability of the surrounding neighborhood?
2. Does the proposed development "fit" with the surrounding area in terms of density, layout & appearance?
3. Is the proposed development compatible with the existing land use pattern? i.e. residential, commercial, residential w churches & schools

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **JIM AND NANCY HOFFMAN** for approval of the planned unit development, as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied are:

Motion by _____ seconded by _____ to adopt the foregoing Findings and Order.

ROLL CALL:


Commissioner Bowlby	Voted _____
Commissioner George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning	Voted _____ (tie breaker)
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Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING



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**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on November 14, 2006, and there being present a person requesting approval of ITEM S-12-06: a request for preliminary plat approval of "15th and Best Town homes", a 34-lot condominium subdivision on private streets in the R-12 (Residential at 12 units/acre) zoning district.

LOCATION: Location – +/- 3.6-acre parcel at the northeast corner of 15th Street and Best Avenue

APPLICANT: Jim & Nancy Hoffman

B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

(The Planning Commission may adopt Items B1 to B7.)

B1. That the existing land uses are residential - single-family, duplex, multi-family, commercial sales and service and vacant land.

B2. That the Comprehensive Plan Map designation is Transition

B3. That the zoning is R-12 (Residential at 12 units/acre)

B4. That the notice of public hearing was published on October 28, 2006, and November 7, 2006 which fulfills the proper legal requirement.

B5. That the notice of public hearing was posted on the property on November 3, 2006, which fulfills the proper legal requirement.

B6. That 96 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 27, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.

B7. That public testimony was heard on November 14, 2006.

B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat, the Planning Commission must make the following findings:

- B8A. That all of the general preliminary plat requirements **(have) (have not)** been met, as attested to by the City Engineer. This is based on
- B8B. That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities **(are) (are not)** adequate where applicable. This is based on
- B8C. That the preliminary plat **(is) (is not)** in conformance with the Comprehensive Plan as follows:
- B8D. That the public interest **(will) (will not)** be served based on
- B8E. That all of the required engineering elements of the preliminary plat **(have) (have not)** been met, as attested to by the City Engineer. This is based on
- B8F. That the lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district for the following reasons:
- B9. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses because

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **JIM AND NANCY HOFFMAN** for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

Motion by _____, seconded by _____, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

**PLANNING COMMISSION
STAFF REPORT**

FROM: JOHN J. STAMSOS, ASSOCIATE PLANNER
DATE: NOVEMBER 14, 2006
SUBJECT: S-11-06 – 24-LOT “ICE PLANT” PRELIMINARY PLAT SUBDIVISION
LOCATION – +/- 1.32-ACRE PARCEL AT 311 SOUTH 11TH STREET

DECISION POINT:

- A. Dave Schreiber, Ice Plant Development, Inc. is requesting Preliminary Plat approval of “Ice Plant”, a 24-lot subdivision in the R-12 (Residential at 12 units/acre) Downtown East Infill Overlay zoning district.

This is a 24 unit attached single-family zero lot line townhouse development, currently under construction, consisting of two 12-unit buildings with each dwelling unit on a separate lot with a 24 foot wide access and utility easement centered on the interior property lines to access the parking areas for each dwelling unit.

SITE PHOTOS:

- A. Aerial photo of surrounding area.



B. Looking at subject property along 11th Street.

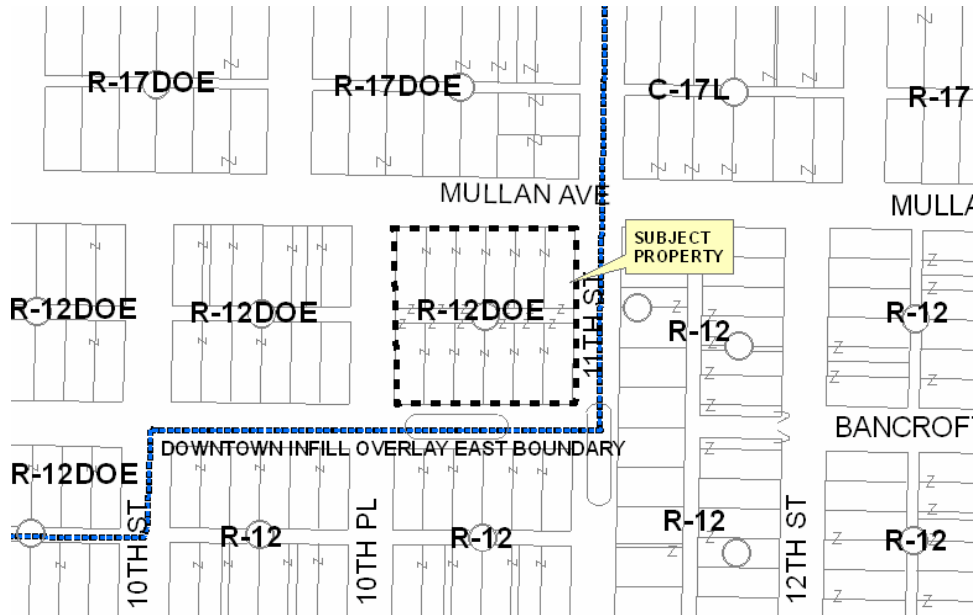


C. Front view of townhouses.

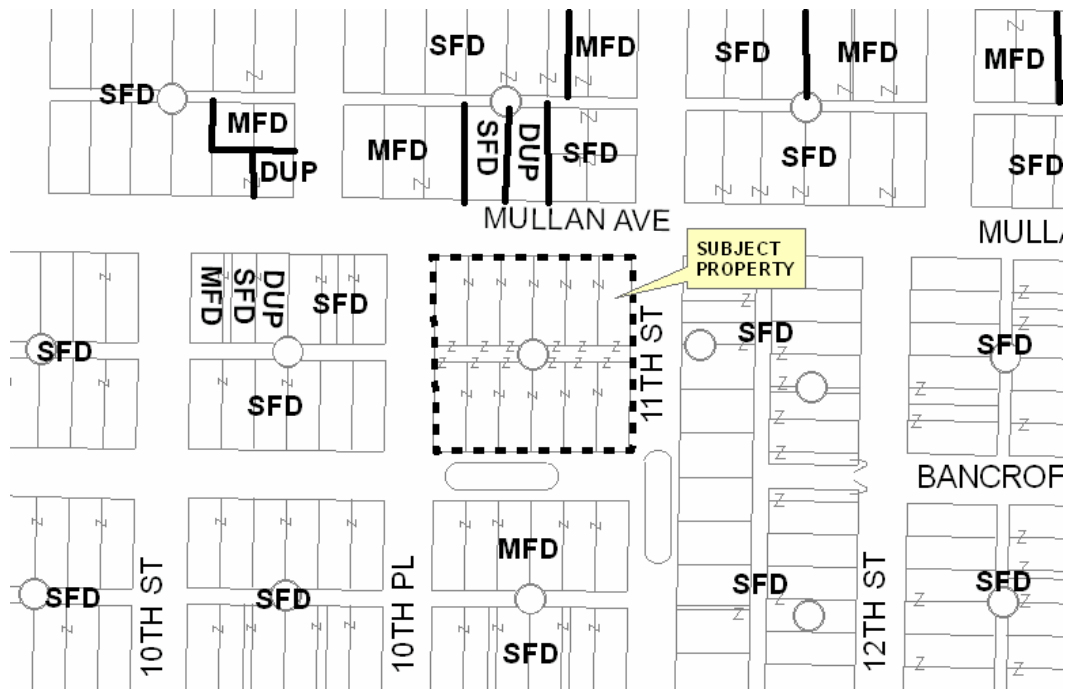


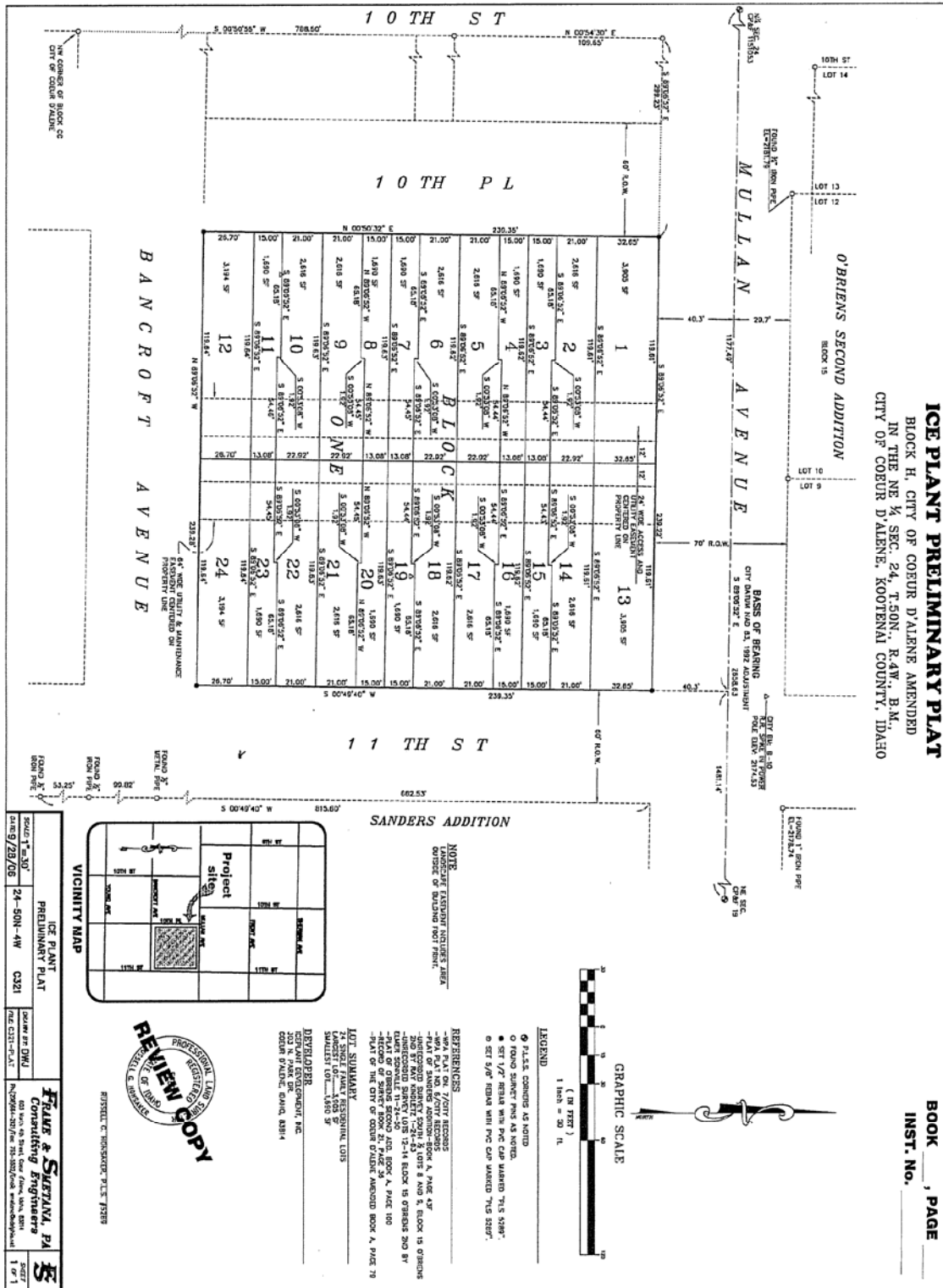
GENERAL INFORMATION:

A. Zoning



B. Generalized land use pattern:





- D. Applicant/ Ice Plant Development, Inc.
 Owner 303 N. Park Drive
 Coeur d'Alene, ID 83815
- E. Land uses in the area include residential - single-family, duplex, multi-family and commercial service.
- F. The "Ice Plant" townhouses are currently under construction on the subject property.

PERFORMANCE ANALYSIS:

- A. **Finding #B8A: That all of the general preliminary plat requirements (have) (have not) been met, as attested to by the City Engineer.**

Per Gordon Dobler, City Engineer, the preliminary plat submitted contains all of the general information required by Section 16.12.020 of the Municipal Code, General Requirements.

- B. **Finding #B8B: That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities (are) (are not) adequate where applicable.**

SEWER:

Sanitary sewer is available to the proposed subdivision. A new sanitary main line extension was installed to serve the subject property.

Evaluation: The existing main is adequate to serve the proposed townhouse subdivision. The required one year warranty period and public maintenance of the line will commence upon City acceptance of the installed facility.

WATER:

City water is available to the proposed subdivision

Evaluation: All necessary services were addressed with the underlying building permit for the subject property.

STORMWATER:

City Code requires a stormwater management plan to be submitted and approved prior to any construction activity on the site.

Evaluation: The on-site impervious was designed to convey the drainage to a facility on the northerly side of the development. Off site street drainage is contained in the existing City hard pipe system.

TRAFFIC:

The ITE Trip Generation Manual estimates that the 24 unit townhouse project will generate approximately 12.7 trips per day during the peak hour periods.

Evaluation: The adjacent and/or connecting streets will accommodate the traffic volume. The approximate number of peak hour trips for the newly constructed townhouses is an increase of 3.7 trips over the mobile home park that previously occupied the subject property. The collector street (11th St.) on the easterly boundary is controlled by a signalized intersection and the surrounding local streets provide a myriad of ways to access and depart from the site.

STREETS:

All of the streets surrounding the subject property are fully developed to current City standards.

Evaluation: No alterations to the current street configurations will be required.

APPLICABLE CODES AND POLICIES:

UTILITIES:

1. All required utility easements shall be dedicated on the final plat.

GENERAL:

2. The final plat shall conform to the requirements of the City.
3. The Covenants, Conditions, and Restrictions and/or Articles of Incorporation of the homeowners association shall be subject to review for compliance with the conditions herein by the City Attorney.

Submitted by Chris Bates, Project Manager

FIRE:

All issues were addressed at the time of building permit issuance.

Submitted by Dan Cochran, Deputy Fire Chief

POLICE:

I have no comments at this time.

Submitted by Steve Childers, Captain, Police Department

C. **Finding #B8C: That the preliminary plat (is) (is not) in conformance with the Comprehensive Plan as follows:**

1. The subject property is within the existing city limits.
2. The City Comprehensive Plan Map designates this area as Stable Established, as follows:

Stable Established Areas:

"These areas represent the locations where the character of neighborhoods has largely been established and, in general, should be maintained. The street network, number of building lots and general land use are not planned to change greatly within the planning period."

3. Page 28 – All requests for zone changes, special use permits etc., will be made considering, but not limited to:
 - A. The individual characteristics of the site;
 - B. The existing conditions within the area, and
 - C. The goals of the community.

4. Significant policies:

4C: "New growth should enhance the quality and character of existing areas and the general community."

4C1: "Development that proposes to increase the density of a given area may be allowed, provided that the increase maintains the character of the community."

4C3: Population growth should be compatible with preserving Coeur d'Alene's character and quality of life."

6A: "Promote the orderly development of land use at locations that are compatible with public facilities and adjacent land uses."

14A3: "All new developments must provide for immediate hook up to the sanitary sewer system."

15G: "City government should be responsive to the needs and desires of the citizenry."

42A2: "Property rights of citizens should be protected in land use decisions."

46A: "Provide for the safe and efficient circulation of vehicular traffic."

51A: "Protect and preserve neighborhoods both old and new."

51A5: "Residential neighborhood land uses should be protected from intrusion of incompatible land uses and their effects."

62A: "Examine all new developments for appropriateness in regard to the character of the proposed area. Inform developers of City requirements and encourage environmentally harmonious projects."

Transportation Plan policies:

The Transportation Plan is an addendum to the Comprehensive Plan and is a policy document that is intended to guide decisions that affect transportation issues. Its goal is to correct existing deficiencies and to anticipate, plan and provide for future transportation needs.

33A: "Safe vehicular and pedestrian circulation should be enhanced through careful design and active enforcement."

34A: "Use existing street systems better."

5. Evaluation: The Planning Commission must determine, based on the information before them, whether the Comprehensive Plan policies do or do not support the request. Specific ways in which the policy is or is not supported by this request should be stated in the finding.

D. Finding #B8D: That the public interest (will) (will not) be served.

The subject property is within the corporate limits and will create a 24-lot subdivision that will provide an alternative form of housing for the Coeur d'Alene area, in conformance with the development regulations in the Downtown East Infill Overlay District.

Evaluation: The Planning Commission must determine, based on the information before them, whether the request will or will not serve the public interest.

N. Finding #B8E: That all of the required engineering elements of the preliminary plat (have) (have not) been met, as attested to by the City Engineer.

A preliminary utility design was submitted indicating that all proposed lots could be served.

O. Finding #B8F: That the lots proposed in the preliminary plat (do) (do not) meet the requirements of the applicable zoning district.

The subject property is zoned R-12DOE and will not change with this request.

The Planning Commission and City Council recently approved amendments to the Infill District Regulations to allow small lot townhouse development within the three infill districts and this request is the first using these new standards.

The new requirements allow development on parcels with a minimum lot size of 1,500 sq. ft. and a minimum street frontage of 15 feet on a public street.

The lots in the proposed "Ice Plant" subdivision range in size from 1,690 sq. ft. to 3,905 sq. ft. and the lot frontages range in width from 15 feet to 32.65 feet.

Evaluation: The proposed subdivision meets all performance standards for the R-12DOE district.

P. Finding #B9: That the proposal (would) (would not) adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses.

Traffic from the proposed single-family development can be accommodated by the four streets surrounding the development. Land uses in the surrounding area include a mix of single-family, duplex and multi-family housing that are compatible with the single-family character of the proposed development.

Evaluation: The proposed development appears to be compatible with the surrounding uses and would not adversely impact traffic on adjoining streets.

Q. Proposed conditions:

None.

R. Ordinances and Standards Used In Evaluation:

Comprehensive Plan - Amended 1995.

Transportation Plan

Municipal Code.

Idaho Code.

Wastewater Treatment Facility Plan.

Water and Sewer Service Policies.

Urban Forestry Standards.

Transportation and Traffic Engineering Handbook, I.T.E.

Manual on Uniform Traffic Control Devices.

Coeur d'Alene Bikeways Plan

Kootenai County Assessor's Department property records

ACTION ALTERNATIVES:

The Planning Commission must consider this request and make appropriate findings to approve, deny or deny without prejudice. The findings worksheet is attached.

[F:pcstaffrptsS-11-06]

PROPERTY INFORMATION

1. Gross area: (all land involved): 1.32 acres, and/or _____ sq.ft.
2. Total Net Area (land area exclusive of proposed or existing public street and other public lands): 1.32 acres, and/or _____ sq. ft.
3. Total length of streets included: 0 ft., and/or _____ miles.
4. Total number of lots included: 24
5. Average lot size included: 2380 SF
6. Existing land use: Townhouses under construction
7. Existing Zoning: (circle one) R-1 R-3 R-5 R-8 R-12 R-17 MH-8 C-17
C-17L C-34 LM M


SEWER AND WATER REIMBURSEMENT POLICY

Over sizing of utilities will not be eligible for reimbursement from the city unless a request is approved in writing by the City Council prior to issuance of Building Permits or the start of construction, whichever comes first.

PROJECT DESCRIPTION:

Please describe the concept of the proposed subdivision:

Construction of zero-lot-line townhouses



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**COEUR D'ALENE PLANNING COMMISSION
FINDINGS AND ORDER**

A. INTRODUCTION

This matter having come before the Planning Commission on November 14, 2006, and there being present a person requesting approval of ITEM S-11-06: a request for preliminary plat approval of "Ice Plant", a 24-lot subdivision in the R-12 (Residential at 12 units/acre) Downtown East Infill Overlay zoning district.

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APPLICANT: Dave Schreiber

LOCATION: +/- 1.32-acre parcel at 311 South 11th Street

**B. FINDINGS: JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS
RELIED UPON**

(The Planning Commission may adopt Items B1 to B7.)

- B1. That the existing land uses are residential - single-family, duplex, multi-family and commercial service.
- B2. That the Comprehensive Plan Map designation is Stable Established.
- B3. That the zoning is R-12 (Residential at 12 units/acre) Downtown East Infill Overlay zoning district.
- B4. That the notice of public hearing was published on October 28, 2006, and November 7, 2006, which fulfills the proper legal requirement.
- B5. That the notice of public hearing was posted on the property on November 1, 2006, which fulfills the proper legal requirement.
- B6. That 127 notices of public hearing were mailed to all property owners of record within three-hundred feet of the subject property on October 27, 2006, and _____ responses were received: ____ in favor, ____ opposed, and ____ neutral.
- B7. That public testimony was heard on November 14, 2006.
- B8. Pursuant to Section 16.10.030A.1, Preliminary Plats: In order to approve a preliminary plat,

the Planning Commission must make the following findings:

- B8A. That all of the general preliminary plat requirements **(have) (have not)** been met, as attested to by the City Engineer. This is based on
- B8B. That the provisions for streets, alleys, rights-of-way, easements, street lighting, fire protection, planting, drainage, and utilities **(are) (are not)** adequate where applicable. This is based on
- B8C. That the preliminary plat **(is) (is not)** in conformance with the Comprehensive Plan as follows:
- B8D. That the public interest **(will) (will not)** be served based on
- B8E. That all of the required engineering elements of the preliminary plat **(have) (have not)** been met, as attested to by the City Engineer. This is based on
- B8F. That the lots proposed in the preliminary plat **(do) (do not)** meet the requirements of the applicable zoning district for the following reasons:
- B9. That the proposal **(would) (would not)** adversely affect the surrounding neighborhood at this time with regard to traffic, neighborhood character, and existing land uses because

C. ORDER: CONCLUSION AND DECISION

The Planning Commission, pursuant to the aforementioned, finds that the request of **DAVE SCHREIBER** for preliminary plat of approval as described in the application should be **(approved) (denied) (denied without prejudice)**.

Special conditions applied to the motion are:

Motion by _____, seconded by _____, to adopt the foregoing Findings and Order.

ROLL CALL:

Commissioner Bowlby	Voted _____
Commissioner George	Voted _____
Commissioner Jordan	Voted _____
Commissioner Messina	Voted _____
Commissioner Rasor	Voted _____
Commissioner Souza	Voted _____

Chairman Bruning Voted _____ (tie breaker)

Commissioners _____ were absent.

Motion to _____ carried by a ____ to ____ vote.

CHAIRMAN JOHN BRUNING

Date: November 14, 2006

To: Planning Commission

From: David Yadon, Planning Director

Subject: Item O-4-06 Amendment to Zoning Code –: Neighborhood Commercial and Community Commercial Zoning Districts

Decision Point

The Planning Commission is asked to consider establishing two new zoning districts to the zoning ordinance: Neighborhood Commercial and Community Commercial

History

The Planning Commission has had several code amendments on the “priority list” for some time. The following amendments from that list were prepared by City staff and Consultant Mark and reviewed by the Planning Commission at workshops on August 16, 2006 and September 12, 2006.

The Neighborhood Commercial District is intended to allow for the location of enterprises that mainly serve the immediate surrounding residential area and that provide a scale and character that are compatible with residential buildings. It is expected that most customers would reach the businesses by walking or bicycling, rather than driving

The Community Commercial District is intended to allow for the location of enterprises that mainly serve the surrounding residential areas and that provide a scale and character that are compatible with residential buildings.

Both districts include a Purpose, Permitted Uses, Maximum Building Height, Maximum Floor Area Ratio, Maximum Floor Area, Minimum Parking, Setbacks, Screening, Landscaping and Design Standards. This action does not change the zoning of any property in the city.

Financial Analysis

There is no significant financial impact associated with the proposed amendments.

Performance Analysis

The proposed amendment is consistent with Comprehensive Plan policies including 6A. 51A1, 37, 42A, 64D16, 65.

Quality of Life Analysis

The amendment will provide new commercial zoning choices that address issues of neighborhood compatibility.

Decision Point Recommendation

The Planning Commission is asked to consider the proposed amendments.

PC Draft 9/12/06

Proposed Community Commercial District

1. Purpose of the District

The Community Commercial District is intended to allow for the location of enterprises that mainly serve the surrounding residential areas and that provide a scale and character that are compatible with residential buildings.

2. Uses

Permitted:

- Retail
- Personal Services
- Commercial and Professional Office
- Medical/Dental
- Day Care
- Residential (above the ground floor)
- Parks

Conditional / Special Permit:

- Religious Institutions
- Schools
- Gasoline Service Stations

Prohibited:

- Industrial
- Warehouses
- Outdoor storage or Display of Goods, other than plants
- Mini-storage
- Sales, Repair or Maintenance of Vehicles, Boats, or Equipment
- Detention facilities
- Commercial Parking

3. Maximum Building Height

35 feet

4. Maximum Floor Area Ratio

Non-Residential: 1.0

Total: 1.5

5. Maximum Floor Area

10,000 sf for Retail Uses

20,000 sf for all Non-Residential Uses

6. Minimum Parking

3 stalls / 1000sf of non-residential floor area

1.5 stalls per dwelling unit

7. Setbacks from any adjacent Residential District

8” of horizontal distance for every foot of building height.

8. Screening along any adjacent Residential District

Minimum 10 foot wide planting strip containing evergreen trees

(trees to be at least 15 feet tall at time of planting, and no more than 25 feet apart)

9. Landscaping

One tree for every 8 surface parking stalls.

(trees shall be at least 15 feet tall at time of planting)

10. Design Standards

- a. At least 50% of any first floor wall facing an arterial street shall be glass.
- b. If a building does not abut the sidewalk, there shall be a walkway between the sidewalk and the primary entrance.
- c. Surface parking should be located to the rear or to the side of the principal building.
- d. Trash areas shall be completely enclosed by a structure of construction similar to the principal building. Dumpsters shall have rubber lids.
- e. If a gasoline service stations is approved, it shall be limited to 4 double-sided pumps. Lighting greater than 2 footcandles is prohibited. All lighting fixtures shall be a “cut-off” design to prevent spillover.
- f.. Wall-mounted signs are preferred, but monument signs no higher than 6 feet are allowed. Roof-mounted signs and pole signs are not permitted.
Sign standards would be incorporated into sign code

NC <i>draft 9-12-06</i>	PERMITTED USES		
Commercial	principal uses		special use permit
<p>The Neighborhood Service Commercial</p> <p>The Neighborhood Commercial District is intended to allow for the location of enterprises that mainly serve the immediate surrounding residential area and that provide a scale and character that are compatible with residential buildings. It is expected that most customers would reach the businesses by walking or bicycling, rather than driving.</p>	<p>residential activities:</p> <ol style="list-style-type: none"> 1. multi-family (above ground floor) 2. home occupation <p>civic activities:</p> <ol style="list-style-type: none"> 1. child care facility 2. essential service 	<p>service activities:</p> <ol style="list-style-type: none"> 1. administrative & professional offices 2. banks & financial institutions 3. personal service establishments <p>sales activities</p> <ol style="list-style-type: none"> 1. convenience sales 2. food & beverage sales 3. specialty retail sales 	<p>civic activities</p> <ol style="list-style-type: none"> 1. community education 3. community organization 4. religious assembly <p>service & sales activities</p> <ol style="list-style-type: none"> 1. Commercial Film Production
<p>accessory uses</p> <ol style="list-style-type: none"> 1. carport, garage and storage structures (attached or detached) 2. private recreation facility (enclosed or unenclosed) 	<ol style="list-style-type: none"> 3. management office 4. open areas and swimming pools. 5. temporary construction yard. 	<ol style="list-style-type: none"> 6. temporary real estate office. 7. apartment for resident caretaker 	

SITE PERFORMANCE STANDARDS		
Maximum Height	Maximum Floor Area	Minimum Yard
<p>principal structure 32feet An additional story may be permitted on hillside lots that slope down from the street. (see Sec. 17.06.330)</p> <p>detached carports & garages with low slope roof (<2 1/2 : 12) : 14 feet with high slope roof (> 2 1/2 : 12) : 18 feet other accessory structures: 25 feet</p>	<p>Retail uses 10,000 sf Non-residential uses 20,000 sf</p> <p>Maximum Floor Area Ratio Non-residential 1 residential uses 1.5 Total: 1.5</p>	<p>commercial & mixed uses front Commercial structures must be constructed to within ten feet (10) of the Front Lot Line or provide space for a fourteen foot (14ft) sidewalk, whichever is greater side: 0 feet unless abutting residential district with greater setback; then 8" of horizontal distance for every foot of building height.</p> <p>Extensions into these yards are permitted in accordance with Sec. 17.06.495</p>
<p>Landscaping landscaping including street trees is required for all uses in this district. One tree for every 8 surface parking stalls. (trees shall be at least 15 feet tall at time of planting)</p> <p>See Planning Department for details.</p> <p>Parking 3 stalls / 1000sf of non-residential floor area 1.5 stalls per dwelling unit</p>	<p>Fences front yard area: 4 feet side & rear yard area: 6 feet All fences must be on or within the property lines.</p> <p>Fences within the buildable area may be as high as the height limit for principal use.</p> <p>Other As a general rule a 5 or 8 foot sidewalk is generally required. A 14 foot sidewalk with street trees is preferred.</p> <p>Limited Hours of Operation Any use within this district shall only be open for business between 7am and 10pm.</p>	<p>Design Standards</p> <p>a. At least 50% of any first floor wall facing an arterial street shall be glass.</p> <p>b. If a building does not abut the sidewalk, there shall be a walkway between the sidewalk and the primary entrance.</p> <p>c. Surface parking should be located to the rear or to the side of the principal building.</p> <p>d. Trash areas shall be completely enclosed by a structure of construction similar to the principal building. Dumpsters shall have rubber lids.</p> <p>e. Buildings shall be designed with a residential character, including elements such as pitched roofs, lap siding, and wide window trim.</p> <p>f. Lighting greater than 1 footcandle is prohibited. All lighting fixtures shall be a "cut-off" design to prevent spillover.</p> <p>g. Wall-mounted signs are preferred, but monument signs no higher than 6 feet are allowed. Roof-mounted signs and pole signs are not permitted.</p> <p>h. Signs shall not be internally lighted, but may be indirectly lighted</p> <p>Screening along any adjacent Residential District 6-foot high solid, sight-obscuring fence or wall or, Minimum 10 foot wide planting strip containing evergreen trees (trees to be at least 15 feet tall at time of planting, and no more than 25 feet apart)</p>